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SX
New York city
Ordinances

A COMPILATION
OF THE
Laws of the State of New York;
ALSO, OF THE
ORDINANCES, RESOLUTIONS, AND ORDERS
ESTABLISHED BY THE MAYOR, ALDERMEN, AND COMMONALTY OF THE
CITY OF NEW YORK, IN COMMON COUNCIL CONVENED,
RELATING TO
THE FIRE DEPARTMENT
OF THE
CITY OF NEW YORK,
From 1812 to 1860.

ALSO, A
CONTINUATION OF THE REVISION OF THE ORDINANCES OF 1845,
APPERTAINING TO
THE FIRE DEPARTMENT,
TO THE YEAR 1860.

Originally, Pursuant to a Resolution of Common Council, Approved Sept. 22, 1854;

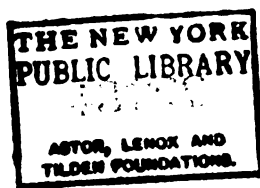
REPRINTED WITH CONTINUATION, BY ORDER B'D OF COUNCILMEN, OCT. 12, 1859.

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BY THE CLERK OF THE BOARD OF COUNCILMEN.  
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Document No. 15.

NEW YORK:
EDMUND JONES & CO., PRINTERS TO BOARD OF COUNCILMEN,
No. 26 JOHN STREET.

1859.



ORIGINAL ORDER FOR PUBLICATION.

By Councilman PINCKNEY :

Resolved, That the Clerk of the Common Council be, and he is hereby directed to employ a competent copyist to compile all the various laws and amendments to laws, as passed by the State Legislature, and all the ordinances, amendments to ordinances, and resolutions, as passed by the Common Council, relative to the organization and regulation of the New York Fire Department, from the passage of the original law, authorizing the Common Council to "appoint firemen," passed 1813.

Adopted by the Board of Councilmen, Sept. 18, 1854.

Adopted by the Board of Aldermen, Sept. 21, 1854.

Approved by the Mayor, Sept. 22, 1854.

On October 13, 1859, the following resolution was adopted by the Board of Councilmen :

By Councilman BULTEEL :

Whereas, At the late burning of the City Hall, a great number of bound volumes were destroyed, among which was the compilation of the laws and regulations of the Fire Department; and whereas there are daily and numerous calls for the same, therefore, be it

Resolved, That the Clerk of this Board be directed to have printed and bound, without delay, 2,500 copies of the compilation of the laws of the State of New York ; also, ordinances, resolutions, and orders, as established by the Mayor, Aldermen, and Commonalty of the City of New York, relating to the Fire Department of this city.

C. T. McCLENACHAN,

Clerk Board of Councilmen.

PREFACE.

IN the following compilation of the Laws of the State, and Ordinances, &c., of the Common Council, relating to the Fire Department of the City of New York, in pursuance of a resolution of the Common Council, approved September 22, 1854, the compiler is aware, that although he has endeavored to execute the trust with faithfulness and accuracy, many defects will necessarily appear in consequence of the many imperfections in the records of the Common Council of the city, more particularly in those ordinances established anterior to 1832, which appear only in MSS. and loose and imperfect files.

The compiler is indebted to the Clerk of the Common Council for permission to search the manuscript records of early date, which will be found in the following work, as much from necessity in the form of history, as of transcript of ordinances, &c.

Trusting that the following compilation will fill up a blank, long and seriously felt by the Common Council, and the Fire Department generally, it is, with great deference, accordingly submitted by

C. T. McCLENACHAN.

ACT OF INCORPORATION.

21st. SESSION.

AN ACT to incorporate the Firemen of the City of New York.

PASSED March 20th, 1798.

Whereas, The firemen of the city of New York, have, by Preamble.
their petition to the Legislature, prayed to be incorporated,
the more effectually to enable them to provide adequate
funds for the relief of disabled and indigent firemen, and
for the purpose of extinguishing fires; therefore,

Be it enacted by the People of the State of New York,
represented in Senate and Assembly: That all such per-
sons as now are, or hereafter shall be, engineers of the
Fire Department, or firemen, belonging to any of the fire-
engines of the city of New York, shall be, and hereby are
ordained, constituted, and declared to be, and continue
until the first Tuesday in April, one thousand eight hund-
red and eighteen, a body politic, in fact and in name, by
the name of "The Fire Department of the City of New
York;" and that by that name, they and their successors,
for the term aforesaid, shall and may have succession, and
shall be persons in law, capable of suing and being sued,
pleading and being impleaded, answering and being an-
swered unto, defending and being defended, in all courts
and places whatsoever, in all manner of actions, suits,

Firemen
belonging to
any of the
engines of
the city of
New York,
declared to
be and to
continue un-
til the year
1818, a body
politic, by
the name of
the "Fire
Department
of the City of
New York."

And capable of holding and conveying any estate not exceeding the sum of twenty thousand dollars.

complaints, matters, and causes whatsoever ; and that they and their successors may have a common seal, and may change and alter the same at their pleasure ; and also, that they and their successors, by the name of the Fire Department of the City of New York, shall be in law capable of purchasing, holding, and conveying any estate, real or personal, for the use of the said corporation, provided that the amount of the real and personal estate of the said corporation shall not, at any time, exceed the sum of twenty thousand dollars.

Apportionment of representatives to be chosen.

And be it further enacted, That the engineers belonging to the said Fire Department shall, on or before the first day of December in every year, choose one representative ; each company of eighteen firemen, two representatives ; and under eighteen firemen, one representative ; who shall have and exercise all such powers as are hereinafter committed to them.

Powers of such representatives.

And be it further enacted, That the said representatives shall choose, on the second Monday of December in every year, by ballot, out of their own body, a president and vice-president ; and out of the whole body of the firemen, three trustees, a treasurer, secretary, and collector ; that the first representatives shall be, Daniel Hitchcock, Thomas Tom, Nicholas Van Antwerp, James Parsons, jr., William Hardenbrook, Matthias Nack, Samuel Lord, Nicholas Roome, Leonard Rogers, Cornelius Brinckerhoff, Joseph Smith, Israel Haviland, John Pritchett, James Robinson, Robert McCullen, Augustus Wright, William Hunter, Elijah Pinckney, Isaac Hatfield, Garret Debow, Adam Pentz, John Perrin, Adam Hartell, Moses Smith, William Brown, John Lent, John Utt, Uziah Coddington, jr., Peter Embury, James Van Dyck, Thomas Timpson, Joseph

First representatives named.

... ..

Newton, William Degrove, William Baker, Thomas Demilt, William A. Hardenbrook, Isaac Tirboss, Henry Rogers, John Dominick, and Joseph Webb; that Daniel Hitchcock shall be the first president, that Thomas Tom shall be the first vice-president, that Frederick Devoe, Jacob Sherred, James Stewart, John Striker, James Tylee, Benjamin Strong, Thomas Brown, Stephen Smith, and Christopher Halstead shall be the first trustees; that Nicholas Van Antwerp shall be the first treasurer, and James Parsons, jr., the first secretary, and Martin Morrison the first collector; to hold their respective offices and places until others are appointed in their stead, agreeable to the provisions of this act.

Arrangement for first President, Vice President, Trustees, Treasurer, Secretary, and Collector.

That the said trustees shall class themselves in three classes; number one shall go out of office the first year, number two the second year, and number three the third year; that the said trustees shall manage the affairs, and dispose of the funds of the corporation according to the by-laws, rules, and regulations of the said corporation, from time to time made and established by the said representatives.

Duties of the Trustees, President, Treasurer, Representatives, &c.

That the trustees shall choose a president, who shall have a right to convene them when he thinks proper, at least once a year; that the treasurer shall give security to the trustees for the faithful performance of his trust; and shall, at every annual meeting of the representatives, render them an account of the state of the funds.

That the representatives shall, at their meetings, have a right to inquire into, and control the application of their funds, and to displace any of the trustees and officers, if guilty of malconduct, and elect others in their stead. That a majority of the said representatives, and also of the said trustees, shall respectively be a quorum to do business;

Vacancies
in any of the
offices, how
to be filled

that in case of a vacancy in the office of representative, such vacancy shall be filled up by the company from which he is deputed, for the remainder of the year, by a special election, to be held for that purpose; and that in case of a vacancy in the office of president, vice-president, treasurer, secretary, collector, or any of the trustees, such vacancies shall be filled up by the representatives, for the remainder of the year, by a special election, to be held for that purpose.

Two-thirds
of the Repre-
sentatives to
be a quorum
for business.

And be it further enacted, That two-thirds of a quorum of the said representatives shall have full power to make and prescribe such by-laws, rules, ordinances, and regulations as to them, from time to time, shall appear needful and proper, touching the management and disposition of their funds, for the purposes aforesaid, and touching the meetings of the said corporation, both special and ordinary, except the second Monday in December, in every year, which is hereby declared to be their annual meeting, and touching the duties and conduct of their officers and trustees, and touching all such other matters as appertain to the business, ends, and purposes for which the said corporation is by this act instituted, and for no other purpose whatsoever; provided that such by-laws, rules, ordinances, or regulations be not repugnant to the Constitution or the laws of the United States, or of this State.

With pro-
viso.

In case of
neglect in
holding elec-
tion on any
certain day,
the corpora-
tion not to be
dissolved.

And be it further enacted, That in case any election shall not be made on any day, when, pursuant to this act, it ought to have been made, the said corporation shall not, on that account, be deemed to be dissolved; but that it shall and may be lawful, on any other day, to hold and make such election, in such manner as shall have been regulated by the by-laws and ordinances of the said corporation.

And be it further enacted, That the funds of the said corporation which shall arise from chimney fines, certificates, and donations, and from such other objects as may have been heretofore or may be hereafter agreed on by the respective fire companies, shall be appropriated to the relief of such indigent or disabled firemen, or their families, as may be interested therein, and who may, in the opinion of a majority of the trustees, be worthy of assistance; but if they shall amount to a greater sum than the trustees may think necessary to apply to the said purposes, then the said representatives shall have power to apply such surplus to the purpose of extinguishing fires, under such limitations and restrictions as they may, with the sanction of the Corporation of the City of New York, deem proper.

And be it further enacted, That this act is hereby declared to be a public act; and that the same shall be construed, in all courts and places, benignly and favorably, for every beneficial purpose hereby intended.

Funds, how
to be ap-
plied.

Declara-
tion, &c.

36th SESSION.

AN ACT *to reduce several Laws, relating particularly to the City of New York, into one Act.*

PASSED April 9, 1813.

FOR THE MORE EFFECTUAL PREVENTION OF FIRES.

CHAP. 86.

Buildings
to be erected
within cer-
tain limits,
to be of brick
and stone.

1. § 59. *And be it further enacted,* That all dwelling-houses, store-houses, and other buildings which from and after the passing of this act, shall be built or erected within the city of New York (that is to say), within that part of the said city to the northward of the point of the Battery, and a line beginning upon the East River, opposite Montgomery street; thence through Montgomery street to Cherry street; thence down Cherry street to Roosevelt street; thence through Roosevelt to Chatham street; thence down Chatham street to Chambers street; and thence through Chambers street to Broadway; thence up Broadway to Canal street; thence commencing again at Chambers street, and running to Hudson's river, including, also, the lots of ground on the northerly and easterly sides of the said streets, through which the above-mentioned line runs, and including, also, the lots of ground fronting on both sides of Broadway, between Chambers street and Canal street, shall be made and constructed of stone or brick, with party or fire walls, rising at least six inches above the roof, and shall be covered, except

With party
or fire-walls.

Covered
with tile or

the flat roof thereof, with tile or slate, or other safe materials, against fire; and not with board and shingles. slate, except the flat roof.

Provided such flat do not exceed two-fifths part of such roof; and that there be erected around the same flat, a substantial balcony or balustrade; provided also, that the said provisions and regulations shall not extend or apply to any building whatsoever that shall be erected or built upon any lands, tenements, or hereditaments, whereon there was any building on the first day of June, in the year of our Lord one thousand eight hundred and twelve, within the limits aforesaid; and northward and eastward of a line beginning upon the East river, in a direct line from the corner of Montgomery and Cherry streets: thence down Cherry street to Pearl street; thence down Pearl street to Beekman street; thence through Beekman street to Chatham row; thence down Chatham row, and across Broadway to Partition street; thence through Partition street, across Greenwich, Washington, and West streets, to Hudson's river, except such buildings as may be built or erected on any lot or lots of ground on the northwardly or eastwardly sides of the said streets, through which the line aforesaid runs, by any lessee or lessees, or other person or persons, possessed of a leasehold estate, or interest of and in such said lands, tenements, or hereditaments, for any term of years, whereof not more than two years were, on the first day of June, in the year of our Lord one thousand eight hundred and twelve, unexpired, under or by virtue of any lease or other contract, actually subsisting and in force on the last mentioned day, and wherein there shall not be contained any clause or provision for any allowance or payment to the lessee or lessees, their executors, administrators, or assigns, or any of them, at or before, or after the end or expiration of the said term, for or in respect of any Proviso. Further proviso.

building erected or to be erected on the said leasehold premises during the said term ; but that it shall be lawful for any such lessee or lessees, or person or persons so possessed of a leasehold estate or interest in any lands, tenements, hereditaments, or premises within the limits aforesaid, and northwardly and eastwardly of the line aforesaid, except as aforesaid, who shall be so circumstanced in respect to the said leasehold premises, and his, her, or their estate and interest therein as aforesaid, to erect and build upon the same leasehold premises, whereof he, she, or they shall be so possessed, or upon any part thereof, any building whatsoever which, from the surface or level of the street or ground to which such building shall adjoin, either in the front or in the rear, to the foot of the rafter, shall be not more than twenty-five feet, with the materials and in the manner the same may, on the day and year last mentioned, have been lawfully built or erected, any thing in this act contained to the contrary notwithstanding ; but any buildings so to be built or erected upon any such leasehold premises, by any such lessee or lessees, or person or persons possessed of any leasehold estate, or interest therein, being so circumstanced as herein aforesaid, which, from the level or surface of the street or ground to which such building shall adjoin, either in the front or the rear, to the foot of the rafter, shall be more than twenty-five feet, shall be made or constructed of stone or brick, with party or fire-walls, rising at least six inches above the roof, and shall be covered with tile or slate, or other safe materials against fire, and not with boards and shingles, except the flat roof thereof, such flat roof not to exceed two equal fifth parts of the space of the whole roof, and a substantial balcony or balustrade being erected around the same.

2. § 60. *And be it further enacted,* That if any dwelling-house, store-house, or other building whatsoever shall be erected or roofed contrary to the preceding section of this act, the proprietor or proprietors thereof shall, for every such offense, forfeit and pay the sum of five hundred dollars; and every builder who shall build or roof, or assist in building or roofing such dwelling-house, store-house, or other building, contrary to the said section, whether he be the proprietor or not, shall, for every such offense, forfeit and pay the sum of two hundred and fifty dollars; to be recovered, with costs of suit, in any court of record within this State, by the treasurer or chamberlain of said city, for the use of the poor thereof; and when recovered, shall be appropriated by the Common Council of the said city, in the same manner as the moneys raised by tax, for the maintenance of the poor of the said city, are by law directed to be applied; and no such action or suit shall be abated or discontinued by the death, resignation, removal from office, or any other change of such treasurer or chamberlain, but shall and may be continued and prosecuted to effect, by his successor in office.

Penalty for building contrary to the preceding section.

How recovered and appropriated.

3. § 61. *And be it further enacted,* That all dwelling-houses, store-houses, and other buildings whatsoever, which, after the passing of this act, shall be built or erected within said city (that is to say,) within the watch and lamp district of the said city, and not included in the fifty-ninth section of this act, and which from the surface or level of the ground to which such building shall adjoin, either in the front or in the rear, to the foot of the rafters, shall be more than thirty feet, or of more than two stories, shall be made or constructed of stone or brick, with party or fire-walls, rising at least six inches above the roof, and shall be covered, except the flat roof thereof, with tile or slate, or other safe materials against fire, and not with boards and shingles.

Certain buildings within other limits, to be built of brick or stone, and covered with tile or slate.

Proviso as
to the flat
roof.

Provided such flat do not exceed to equal fifth parts of the space of such roof, and that there be erected around the same a substantial balcony or balustrade.

Penalty for
building con-
trary to the
last section.

4. § 62. *And be it further enacted*, That if any dwelling-house, store-house, or other building whatsoever, shall be erected or roofed contrary to the last preceding section of this act, the proprietor or proprietors thereof shall, for every such offense, forfeit and pay the sum of four hundred dollars ; and every builder who shall build, roof, or assist in building or roofing such dwelling-house, store-house, or other building, contrary to the said last preceding section, whether he be the proprietor or not, shall, for every such offense, forfeit and pay the sum of two hundred dollars, to be recovered,

How recov-
ered and ap-
propriated.

with costs of suit, in any court of record within this State, by the treasurer or chamberlain of the said city, for the use of the poor thereof, and when recovered shall be appropriated by the Common Council of the said city in manner aforesaid ; and no such action or suit shall be abated or discontinued by the death, resignation, removal from office, or other change of such treasurer or chamberlain, but shall and may be continued and prosecuted to effect by his successor in office. And the more effectually to prevent the erection of any dwelling-house, store-house, or other building within the said city, contrary to this act.

Certain
buildings de-
clared

5. § 63. *Be it further enacted*, That every such store-house, dwelling-house, or other building, which, after the passing of this act, shall be erected or roofed within the said city, contrary to this act, shall be deemed a common nuisance, and the Justices of the Supreme Court and the Justices of the Court of Oyer and Terminer and gaol delivery, and the Justices of the Court of General Sessions of the Peace, shall, within the said city, have cognizance of

such offenses, and are hereby enjoined and required, in all and every of the charges hereafter to be made or given by them to the grand juries in their respective courts, strictly to charge such grand jurors diligently to inquire of, and to present all offenses against this act, and the court to which an indictment or presentment shall be preferred for such offense, shall be, and hereby is empowered and enjoined to prosecute such indictment, or cause the same to be prosecuted in the usual manner of prosecution; and, upon conviction, to adjudge such fines and penalties as they, in their discretion, shall think fit and proper; and also, in their discretion, to cause such nuisance to be abated and removed.

Courts to charge grand jurors to inquire and prevent offenses.

And to impose fines, and cause such nuisance to be abated.

6. § 64. *And be it further enacted,* That if any dwelling-house, store-house, or other building already erected, and now covered with boards or shingles, within the said city, southward and westward of the line last mentioned, shall at any time hereafter require to be new roofed, it shall and may be lawful for the proprietor or proprietors thereof, to roof the same with boards or shingles, or in such other manner as was customary before the passing of this act, any thing herein contained to the contrary notwithstanding.

Buildings, how repaired.

7. § 65. *And be it further enacted,* That all roofs, steeples, cupolas, and spires of churches, and all other public buildings, may be covered with boards and shingles; and all privies, not exceeding ten feet square, and fifteen feet in height; and all fire-engine houses of the Corporation, and all lime-houses, which shall be erected by the express permission of the Corporation, may be built of wood and boards, or brick and stone, and covered with boards and

Roofs and steeples of churches, and certain other buildings, may be built and covered with wood.

shingles, any thing in this act to the contrary notwithstanding.

Gunpow-
der, how and
where to be
kept.

Under a
penalty.

Provido as
to time of
commencing
suit.

8. § 66. *And be it further enacted,* That it shall not be lawful for any person or persons to have or keep any quantity of gunpowder, exceeding twenty-eight pounds weight, in any one place, house, store, or outhouse, less than one mile to the northward of the City Hall of the said city, except in the public magazine, at the fresh water, which said quantity of twenty-eight pounds shall be separated in four stone jugs, or tin canisters, each of which shall not contain more than seven pounds; and if any person or persons shall keep any greater quantity than twenty-eight pounds in any one place, house, store, or outhouse, or if the same gunpowder so permitted to be kept as aforesaid, shall not be separated in the manner herein above directed, he, she, or they shall fortify all such gunpowder so kept contrary to the true intent and meaning of this act, or so permitted to be kept, and which shall not be separated as aforesaid, and shall also forfeit the sum of one hundred and twenty-five dollars for every hundred weight of powder, and in that proportion for a greater or less quantity; to be recovered with costs of suit, in any court having cognizance thereof, by any person or persons who will sue for the same; provided always, that all actions and suits to be commenced, sued, or prosecuted, against any person or persons, for any thing done contrary to this and the two following sections of this act, shall be commenced, sued, or prosecuted within two calendar months next after the offense committed, and not at any time hereafter.

And to avoid dangers from gunpowder, laden on board of any ship or vessel arriving from sea,

9. § 67. *Be it further enacted*, That the commander, or owner or owners of any ship or other vessel, arriving from sea, and having gunpowder on board, shall within twenty-four hours after her arrival in the harbor, and before such ship or other vessel shall be hauled alongside of any wharf, pier, or key within the said city, land the said gunpowder, by means of a boat, or boats, or other small craft, at any place on the East river, east of Walnut street, or at any place on the North river, to the northward of the outlet of Lispenard's meadow, which may be most contiguous to any of the magazines, and shall cause the same to be stored in one of the magazines now built, or hereafter to be built for that purpose, on pain of forfeiting all such gunpowder, to any person or persons who will sue and prosecute for the same to effect, in manner aforesaid.

Commanders and owners of vessels to land and store gunpowder within twenty-four hours after arrival.

Under penalty of forfeiting the same.

And to prevent any evil consequences which may arise from the carriage of gunpowder,

10. § 68. *Be it further enacted*, That all gunpowder which shall be carried through the streets of said city, by carts, carriages, or by hand, or otherwise, shall be in tight casks, well headed and hooped, and shall be put into bags, or leather cases, and entirely covered therewith, so that no powder may be spilled or scattered in the passage thereof, on pain of forfeiting all such gunpowder as shall be conveyed through any of the streets aforesaid, in any other manner than is hereby directed; and it shall and may be lawful for any person or persons to seize the same, to his or their use and benefit, and to convey the same to one of the magazines aforesaid, and thereupon to prosecute the person or persons offending against this act, before the Mayor or Recorder, and any two Aldermen of the said city, and such gunpowder, upon conviction, shall be condemned to the use of the person seizing the same.

How gunpowder is to be conveyed through the streets.

On suspicion of gunpowder being concealed, how warrant to issue to search for same.

11. § 69. *And be it further enacted,* That it shall and may be lawful for the Mayor or Recorder, or any two Aldermen of the said city, upon application being made by any inhabitant or inhabitants of the said city, and upon his or their making oath of reasonable cause of suspicion, of the sufficiency of which the said Mayor, or Recorder, or Aldermen is or are to be judge or judges, to issue his or their warrant or warrants, under his or their hand and seal, or hands and seals, for searching for such gunpowder, in the daytime, in any building or place whatsoever, within the limits aforesaid, or in any ship or other vessel, within forty-eight hours after her arrival in the harbor, or at any time after such ship or other vessel shall and may have hauled alongside any wharf, pier, or key, within the limits aforesaid; and that upon any such search it shall be lawful for the person finding any such gunpowder, immediately to seize, and at any time within twelve hours after such seizure, to convey the same to one of the magazines aforesaid; and the same gunpowder being so removed, to detain and keep until it shall be determined by the Mayor, or Recorder, and any two Aldermen of the said city, whether the same is forfeited by virtue of this act, and the person or persons so detaining the same, shall not be liable to any action or suit for the detention thereof.

Provided.

Provided always, that nothing in this clause of this act contained, shall be construed to authorize any person having such warrant to take advantage of the same for serving any civil process of any kind whatsoever; provided also, that nothing in this act contained shall extend to ships of war, or packets in the service of the United States, or any of them, or of any foreign prince or state, nor to authorize the searching for gunpowder on board of any such ship or

vessel while lying in the stream, and upwards of one hundred yards from the wharf or shore.

12. § 70. *And be it further enacted*, That if any gunpowder, exceeding twenty-eight pounds, shall be found in the custody of any person, during any fire, or alarm of fire in the said city, by any fireman of the said city, it shall be lawful for him to seize the same, without warrant from the Mayor or Recorder, or Aldermen, and to cause the same to be condemned in manner aforesaid, to his own use; any thing in this act to the contrary notwithstanding.

Gunpowder exceeding 28 pounds found during a fire, may be seized and condemned.

13. § 71. *And be it further enacted*, That from and after the passing of this act, no greater quantity of sulphur than ten hundred weight, and no greater quantity of hemp and flax than twenty hundred weight, shall be put, stored, or kept in any one place in the city of New York, to the southward of the fresh water, in the Sixth Ward, nor to the southward of Rutgers slip, in the Seventh Ward, other than in such proper place or places, as shall be appointed and approved of by the Mayor, Aldermen, and Commonalty of the said city, in Common Council convened, under the penalty of twenty-five dollars for every offense, or refusal to remove the same; to be recovered, with costs of suit, in any court of record within this State, by the treasurer or chamberlain of the said city, to be applied towards the support of the poor of the said city.

Sulphur, hemp, and flax to be kept only in places approved of by Common Council.

Penalty.

14. § 72. *And be it further enacted*, That no pitch, tar, turpentine, rosin, spirits of turpentine, linseed oil, or shingles, shall be put in any place in the city of New York, to the southward of the fresh water, other than in such places as shall be appointed and approved of by the Mayor, Aldermen, and Commonalty of said city, under the penalty of

Pitch, tar, turpentine, rosin, etc., to be kept only in places approved by the Common Council.

Penalty. twenty-five dollars for every offense, or refusal to remove the same; to be sued for, and recovered, with costs, before any court having cognizance of debts to that amount, by any person who shall sue for the same; and when recovered, to be paid to the chamberlain of the said city, for the use of the poor thereof; provided, however, that it shall be lawful for any of the ship-chandlers in the said city, to keep in any inclosure within the limits aforesaid, a quantity of pitch, tar, rosin, and turpentine, not exceeding, in whole, twenty barrels at any one time.

Proviso.

Penalty for firing guns, &c., in parts of the city.

How recovered and applied.

Masters answerable for offences of slave.

Firemen to be appointed by Common Council.

15. § 73. *And be it further enacted,* That if any person shall fire or discharge any gun or pistol, rocket, cracker, squib, or other fire-work in any street, lane or alley, garden, or other inclosure, or from any house, or in any other place where persons frequently walk, to the southward of the fresh water, every such person, for every such offense, shall forfeit and pay two dollars and fifty cents, to be sued for, recovered, and applied as is directed in and by the last preceding section of this act; and in case any such offender be a slave, the owner or possessor of such slave shall be answerable in the same manner as if the act had been done by such owner or possessor.

16. § 74. *And be it further enacted,* That it shall be lawful for the Mayor, Aldermen, and Commonalty of said city, in Common Council convened, and they are hereby required, from time to time, and as often as it shall be necessary, to appoint a sufficient number of strong, able, discreet, honest, and sober men, willing to accept such appointment, being freeholders or freemen of the said city, to have the care, management, working, and using the fire-engines, and the other tools and instruments now provided, or hereafter to be provided, for extinguishing of fires within the said city;

which persons so to be appointed shall be called the fire- Their duty.
men of the city of New York, and who with the engineers
of the same city, are hereby required to be ready at all
times, as well by night as by day, to manage, work, and
use the same fire-engines, and other the tools and imple-
ments aforesaid.

17. § 75. *And be it further enacted,* That the persons so Firemen
exempted
from certain
public du-
ties.
to be appointed firemen, and every of them, during their
continuance in that office, and no longer, shall be exempted
from serving in the office of constable, and from being im-
pannelled or returned upon any juries or inquests, and of
and from militia duty, within the said city, except in cases
of invasion or other imminent danger, and the names of all Their names
to be regis-
tered.
firemen to be appointed by virtue of this act, shall be regis-
tered with the Clerk of the Peace of the said city, and his
certificate shall be sufficient evidence, in all courts and
cases, of such exemption.

And further, That it shall be lawful for the Mayor, Alder- Removable
by the Com-
mon Council.
men, and Commonalty of the said city, in Common Coun-
cil convened, to remove all or any of the firemen now
appointed, or to be appointed by virtue of this act, when,
and as often as they shall think fit, and to appoint others
in their stead.

18. § 76. *And be it further enacted,* That it shall be lawful Common
Council to
make rules
and regula-
tions for fire-
men.
for the Mayor, Aldermen, and Commonalty of the said city,
in Common Council convened, to make and ordain such
rules and regulations in respect of the government and
duty of the persons by them appointed firemen, in the
working, managing, and frequent exercising, trying, and
using of the same fire-engines, tools, and other instruments,
and to impose and establish such reasonable fines, penal- And impose
fines.
ties, and forfeitures upon them, or any of them, for default

or neglect of the duties and services thereby to be required from them, as they shall, from time to time, think proper.

Duty of
sheriff, dep-
uty sheriffs,
constables,
and mar-
shals, in
cases of fire.

19. §77. *And be it further enacted*, That upon the breaking out of any fire within the said city, the sheriffs, deputy sheriffs, constables, and marshals, upon notice thereof, shall immediately repair to the place where such fire shall happen, with their rods, staves, and other badges of authority, and be aiding and assisting, as well in the extinguishing of the said fires, and causing the persons attending the same to work, as in preventing any goods or household furniture from being stolen at such fires, and shall seize all persons whom they find stealing or pilfering; and the officers aforesaid shall also give their utmost assistance to the inhabitants in removing and securing their said goods and furniture; and in the execution of the duties required from them by this act, shall be obedient to the orders of the Mayor, Recorder, and Aldermen of the city, or such of them as shall be present at such fires.

Common
Council to or-
der inhabit-
ants to pro-
cure fire
buckets.

20. §78. *And be it further enacted*, That it shall be lawful for the Mayor, Aldermen, and Commonalty of the said city, in Common Council convened, by ordinances by them for that purpose to be made, to direct the inhabitants or owners of houses and other buildings in the said city, to furnish themselves with such and so many fire-buckets, to be ready in their respective houses and other buildings, for the purpose of extinguishing fires which may happen in the said city, and to impose and establish such reasonable fines, penalties, and forfeitures, for every neglect, default, or disobedience thereof, as they shall think proper.

And to im-
pose penal-
ties for neg-
lect.

Loss of fire
buckets,

21. §79. *And be it further enacted*, That in case any person shall lose any bucket at any fire which may happen in

the said city, and shall, within sixty days thereafter, make proof thereof before the Mayor, Recorder, or one of the Aldermen of the said city, of the value of such bucket, and that the same was actually lost or destroyed in that service, in such case the Mayor, Aldermen, and Commonalty of the said city, in Common Council convened, shall, by warrant, under the hand of the Mayor or Recorder, presiding at such Common Council, directed to the Chamberlain of the said city, order the value of such bucket to be paid to such person so making proof of the loss thereof, out of any moneys remaining in his hands for the contingent expenses arising in the said city; and if any person shall, at any time thereafter, be convicted of having taken a false oath touching the premises, such person shall incur the penalties of willful and corrupt perjury.

22. § 80. *And be it further enacted*, That if any such buckets so proved to be lost, shall afterwards be found, the property thereof shall thenceforward be in the Mayor, Aldermen, and Commonalty of the City of New York, unless the owner thereof will take back the same, and return the money allowed and paid for the loss thereof.

23. § 81. *And be it further enacted*, That when any building or buildings in the city of New York shall be on fire, it shall be lawful for the Mayor, or in his absence the Recorder of the city, with the consent and concurrence of any two of the Aldermen thereof, or for any three of the Aldermen, to direct and order the same, or any other building which they may deem hazardous, and likely to take fire, or to convey the fire to other buildings, to be pulled down or destroyed; and upon the application of any person interested in such building so pulled down or destroyed, to the Mayor or Recorder, or any two Aldermen,

when and
how borne
by the Cor-
poration.

Lost buck-
ets to whom
to belong
when found.

In case of
fire, the May-
or, &c., may
order build-
ings to be
pulled down.

Damages
sustained
thereby, how
ascertained.

it shall be their duty to issue a precept for a jury to inquire of and assess the damages which the owners of such building, and all persons having any estate or interest therein, have respectively sustained by the pulling down or destroying thereof; which precept shall be issued, directed, executed, returned, and proceeded upon, and the proceedings thereon shall take effect, as nearly as may be, in such manner as by the 219th section of this act are directed (and which will be found at the close of this act), in relation to ground taken for the purposes therein mentioned; and the said inquiry and assessment having been confirmed by the Mayor's Court, the sums assessed by the said jury shall be paid by the said Mayor, Aldermen, and Commonalty, to the respective persons in whose favor the jury shall have assessed the same, in full satisfaction of all demands of such persons respectively, by reason of the pulling down or destroying such building; and the Mayor's Court, before whom any such process shall be returnable, shall have power to compel the attendance of jurors and witnesses upon any such assessment of damages.

And to be
paid by Cor-
poration to
persons sus-
taining loss.

Title and
suspicious
persons may
be removed
from fires.

24. § 82. *And be it further enacted*, That during the actual prevalence of any such fire as aforesaid, it shall and may be lawful for the Mayor, Recorder, and each of the Aldermen of the said city, to remove, or cause to be removed and kept away from the vicinity of such fire, all idle and suspicious persons, and all persons not fit to be employed, or not actually and usefully employed, in the judgment of the said Mayor, Recorder, or Aldermen, in aiding the extinguishment of such fire, or in the preservation of property in the vicinity thereof.

Damages
for pulling
down build-

25. § 83. *And be it further enacted*, That the sum assessed by such jury as aforesaid, for any building so pulled down

or destroyed as aforesaid (the same assessment and inquiry having been confirmed by the court), shall, together with the expenses of the proceedings for such assessment, be borne and defrayed by the said Mayor, Aldermen, and Commonalty.

ings in time
of fire, to be
borne by
Common
Council.

26. § 84. *And be it further enacted,* That the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, shall, from time to time, and as often as they deem it necessary, have power to pass and provide for the due execution of ordinances, as they may deem proper, for the more effectual prevention and extinguishment of fires in the said city, and to compel the attendance of all engineers and firemen, and such other persons as they may deem necessary to assist at the extinguishment of fires, and to prescribe the duties required of such engineers, firemen, and other persons; and also to regulate the keeping, carting, conveying, or transporting of gunpowder, or any other combustible or other dangerous material, within the bounds of the said city, and to provide for the forfeiture thereof, if the same shall be kept contrary to such law; and also to regulate the use of lights and candles in livery and other stables within the same city; and also to remove or prevent the construction of any fireplace, hearth, chimney, stove, oven, boiler, kettle, or apparatus, used in any manufactory or business, which may be dangerous in causing or promoting fires; and also to direct the construction of deposits for ashes, in safe and suitable places, and of materials secure against fire, and for that purpose to authorize such suitable officer or officers as they may think proper, and at such reasonable times as they shall appoint, to enter into and examine all dwelling-houses, lots, yards, inclosures, and buildings, of every description,

Common
Council au-
thorized to
pass ordi-
nances for
the extin-
guishment
and preven-
tion of fires.

within the said city, to examine and discover whether any danger exists therein ; and in order that proper measures may be taken to provide for the safety of the inhabitants of the neighborhood.

The following is section 219, referred to in section 81, relative to the mode of assessment for damages sustained in pulling down or destroying any building or buildings that shall be on fire, or deemed hazardous and likely to take fire, or to convey fire to other buildings :

Common
Council to
lay out
wharves and
slips when
deemed ex-
pedient.

§ 219. *And be it further enacted,* That it shall be lawful for the Mayor, Aldermen, and Commonalty of the said city, in Common Council convened, to lay out wharves and slips in the said city, whenever and wherever they shall deem it expedient ; and if in so doing, they shall require for such purposes the ground of any person, notice thereof shall be given to the owner or parties interested therein, or to his or their agent or legal representative, and the said Common Council shall treat with such persons for the same ; and if any such person shall refuse to treat for such ground, it shall be lawful for the Mayor or Recorder, and any two or more Aldermen, by precept, under their hands and seals, to command the Sheriff of the city and county of New York to empanel and return a jury, to appear before the Mayor's Court of the said city, at any term thereof, not less than three weeks from the date of such precept, to inquire of and assess the damages and recompense due to the owner or owners of such ground, and at the same time to summon such owner or owners, or his or their agent or legal representative, by notice, to be left at his or their most usual place of abode, to appear before the said court, at the time and place in such precept to be mentioned, which jury, being first duly sworn, faithfully and impartially, to inquire

into and assess the damage in question, and having viewed the premises, if necessary, shall inquire of and assess such damages and recompense as they shall, under all the circumstances, judge fit to be awarded to the owner or owners of such ground, for their respective losses, according to their several interests and estates therein, and the verdict of such jury, and the judgment of said Mayor's Court, thereupon, and the payment of the sum or sums of money so awarded and adjudged to the owner or owners thereof, or tender and refusal thereof, shall be conclusive and binding against the said owner and owners, his and their respective heirs, executors, administrators, and assigns, claiming any estate or interest of, in, or to the same ground, and it shall thereupon be lawful for the said Mayor, Aldermen, and Commonalty to cause the same ground to be converted to, and used for the purposes aforesaid.

38th SESSION.

CHAP. 155.

*AN ACT for the more effectual prevention of fires in the city
of New York.*

PASSED April 11, 1815.

Buildings,
how to be
erected in
certain parts
of the city.

§ 1. Be it enacted by the people of the State of New York, represented in Senate and Assembly : That all dwelling-houses, store-houses, and other buildings, which from and after the passing of this act, shall be built or erected in the city of New York, that is to say, within that part of the said city to the northward of the point of the Battery, and included between the said point of the Battery and a line beginning upon the East river, opposite Montgomery street; thence through Montgomery street to Cherry street; thence down Cherry street to Catharine street; thence through Catharine street to Chatham street; thence down Chatham street to Pearl street; thence through Pearl street to Broadway; thence up Broadway to Anthony street; thence through Anthony street to Hudson street; thence down Hudson street to Jay street; and thence through Jay street to Hudson river; including, also, the lots of ground on the northerly and easterly sides of the said streets through which the above-mentioned line runs; and including, also, the lots of ground fronting on both sides of the Broadway, between Pearl street and Canal street, shall be made and constructed of stone or brick, with party or fire-walls, rising at least six inches above the roof; and shall

be covered, except the flat roof thereof, with tile or slate, or other safe materials against fire, and not with boards or shingles ; provided such flat do not exceed two fifth parts Proviso. of such roof, and that there be erected around the same flat a substantial balcony or balustrade.

(This first section was subsequently repealed by the act of April 9, 1823.)

§ 2. *And be it further enacted*, That if any dwelling-house, Penalty for building contrary to this act. store-house, or other building whatsoever, shall be erected or roofed contrary to the preceding section of this act, the proprietor or proprietors thereof shall, for every such offense, forfeit and pay the sum of five hundred dollars ; and every builder who shall build or roof, or assist in building or roofing such dwelling-house, store-house, or other building, contrary to the said section, whether he be proprietor or not, shall, for every such offense, forfeit and pay the sum of two hundred and fifty dollars ; to be recovered with costs of suit, in any court of record within this State, by the treasurer or chamberlain of the said city, for the use of the poor thereof, and when recovered, shall be appropriated, by the Common Council of the said city, in the same manner as the moneys raised by tax for the maintenance of the poor of the said city are by law directed to be applied ; and no such action or suit shall be abated or discontinued by the death, resignation, removal from office, or other change of such treasurer or chamberlain, but shall and may be continued and prosecuted to effect, by his successor in office.

§ 3. *And be it further enacted*, That all dwelling-houses, Buildings erected after passing this act between certain store-houses, and other buildings whatsoever, which after the passing of this act, shall be built or erected within the

bounds, &c., shall not be included in the first section.

Extended by the act of May 1st, 1851.

Proviso.

said city, that is to say, within that part of the said city, situate between the above-mentioned line and a line beginning at the North river, at a place called Dekleyne's ferry, a little to the northward of the State prison, and running thence, easterly, in front of the new banking-houses, to the road, commonly called the Sandy Hill road; and through the said road to the northward of the Potter's field and the house of William Neilson, to the Bowery; and across the Bowery, to a street commonly called Stuyvesant street, and through the middle thereof, to the East river (and which shall not be included within the first section of this act); and which, from the surface or level of the street or ground to which such building shall adjoin, either in the front or in the rear, to the foot of the rafter, shall be more than thirty feet, or of more than two stories, shall be made or constructed of stone or brick, with party or fire-walls, rising at least six inches above the roof, and shall be covered, except the flat roof thereof, with tile or slate, or other safe materials against fire, and not with boards or shingles; provided such flat do not exceed two equal fifth parts of the space of such roof, and that there be erected around the same a substantial balcony or balustrade.

Buildings erected contrary to the last section, proprietors shall forfeit four hundred dollars.

§ 4. *And be it further enacted*, That if any dwelling-house, store-house, or other building whatsoever, shall be erected or roofed, contrary to the last preceding section of this act, the proprietor or proprietors thereof shall, for every such offense, forfeit and pay the sum of four hundred dollars; and every builder who shall build or roof, or assist in building or roofing such dwelling-house, store-house, or other building, contrary to the last preceding section, whether he be the proprietor or not, shall, for every such offense, forfeit and pay the sum of two hundred dollars; to

be recovered, with costs of suit, in any court of record within this State, by the treasurer or chamberlain of the said city, for the use of the poor thereof; and when recovered, shall be appropriated by the Common Council of the said city, in the manner aforesaid; and no such action or suit shall be abated or discontinued by the death, resignation, removal from office, or other change of such treasurer or chamberlain, but shall and may be continued and prosecuted to effect by his successor.

And the more effectually to prevent the erection of any dwelling-house, store-house, or other building within the said city, contrary to this act,

§ 5. *And be it further enacted*, That every such dwelling-house, store-house, or other building, which after the passing of this act, shall be erected or roofed within the said city contrary to this act, shall be deemed a common nuisance; and the Justices of the Supreme Court, and the Justices of the Court of Oyer and Terminer and General Jail Delivery, and the Justices of the Courts of General Sessions of the Peace, shall, within the said city, have cognizance of such offenses, and are hereby enjoined and required, in all and every of the charges hereafter to be made and given by them to the grand juries in their respective courts, strictly to charge such grand juries diligently to inquire into, and to prevent all offenses against this act; and the court to which an indictment or presentment shall be preferred for such offense, shall be, and hereby is empowered and enjoined to prosecute such indictment, or cause the same to be prosecuted, in the usual manner of prosecutions; and upon conviction, to adjudge such fines and penalties as they, in their discretion, shall think fit and

Buildings
erected con-
trary to this
act deemed
nuisances.

proper; and also in their discretion, to cause such nuisance to be abated and removed.

Certain
buildings
may be roof-
ed with shin-
gles.

§ 6. *And be it further enacted*, That if any dwelling-house, store-house, or other building already erected, and now covered with boards or shingles, within the said city, southward and westward of the line last mentioned, shall at any time hereafter require to be new roofed, it shall and may be lawful for the proprietor to roof the same with boards or shingles, or in such other manner as was customary before the passing of this act; any thing herein contained to the contrary notwithstanding.

Steeple
and cupolas,
&c.

§ 7. *And be it further enacted*, That all roofs, steeples, cupolas, and spires of churches, and other public buildings, may be covered with boards and shingles; and all privies, not exceeding ten feet square, and fifteen feet in height; and all fire-engine houses of the Corporation, and all lime-houses which shall be erected by the express permission of the Corporation, may be built of wood and boards, and covered with boards or shingles; any thing in this act to the contrary notwithstanding.

Part of a
former law
repealed.

§ 8. *And be it further enacted*, That the fifty-ninth, sixtieth, sixty-first, sixty-second, sixty-third, sixty-fourth, and sixty-fifth sections of the act, entitled "An act to reduce several laws relating particularly to the city of New York in one act," passed April 9, 1813, be, and the same hereby are repealed; provided, however, that such repeal shall not affect any suit or prosecution commenced, or penalty or offense incurred or committed previous to the passing of this act, but every such suit or prosecution may lawfully proceed, and every such penalty or offense be demanded, prosecuted, recovered, or punished, as the case may be, as if the said sections of the said act had remained in full force.

Proviso.

39th SESSION.

CHAP. 104.

AN ACT *granting privileges to the Firemen of the city
New York.*

PASSED April 12, 1816.

§ 1. Be it enacted by the people of the State of New York, represented in Senate and Assembly : That every person, who on the first day of May next, shall have been a fireman of the city of New York during twenty years, and who shall serve as such one year thereafter ; and every person who, on the first day of May next, shall have been such fireman during fifteen years, and who shall serve as such three years thereafter ; and every person who, on the first day of May next, shall have been such fireman twelve years, and who shall serve as such four years thereafter ; and every person who, on the first day of May next, shall have been such fireman ten years, and who shall serve as such five years thereafter ; and every person who, on the first day of May next, shall have been such fireman eight years, and shall serve as such six years thereafter ; and every person who, on the first day of May next, shall have been such fireman six years, and who shall serve as such seven years thereafter ; and every person who, on the first day of May next, shall have been such fireman four years, and shall serve as such eight years thereafter ; and every person who, on the first day of May next, shall have been

Firemen
exempted, af-
ter a certain
term.

such fireman two years, and shall serve as such nine years thereafter; and every person who may become a fireman after the first day of May, and shall serve as such ten years thereafter, shall be forever after such services exempted from serving as a juror, in any of the courts of this State, and from all militia duty, except in case where the militia are ordered into actual service.

(The first section was repealed by the act of 4th of April, 1829.)

Certificates
to be signed
by the Clerk
of the Com-
mon Council
and Chief En-
gineer.

§ 2. *And be it further enacted,* That certificates of the time that such persons as aforesaid have served as firemen, signed by the Clerk of the Common Council of the said city, and by the Chief Engineer, shall be sufficient evidence thereof.

Fire Depart-
ment contin-
ued as a
body corpo-
rate.

And be it further enacted, That the Fire Department of the City of New York and their successors, shall continue to be a body corporate and politic, in fact and in name, until the first day of May, in the year of our Lord one thousand eight hundred and thirty-eight, with all the rights powers, and privileges, and subject to all the provisions, restrictions, limitations, and conditions mentioned and contained, in the act entitled, "An act to incorporate the firemen of the city of New York."

40th SESSION.

FIRE DEPARTMENT.

CHAP. 59.

AN ACT *Concerning the Fire Department of the City of New York.*

PASSED, February 28, 1817.

§ 1. Be it enacted by the people of the State of New York, represented in Senate and Assembly: That all persons who now are, or hereafter may be, appointed firemen by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, shall, while they continue such firemen, be, and they are hereby declared to be, members of the Fire Department of the City of New York.

Firemen
members of
Fire Depart-
ment.

§ 2. *And be it further enacted*, That the fines and penalties imposed by so much of the law, passed 9th of April, 1813, entitled "An act to reduce several laws, relating particularly to the city of New York, into one act," as relates to the more effectual prevention of fires, shall and may be recovered with costs of suit, in any court of record within this State, by the Fire Department of the City of New York, for their own use.

Fines, how
recovered.

(Repealed by the act of 15th of January, 1819.)

§ 3. *And be it further enacted*, That any fireman of the city of New York, who shall, while in the performance of his duty as such, so maim or injure himself as to render him thereafter unable to perform the said duties of fireman, or who shall have so maimed himself since the fifth of May

Firemen
maimed on
duty, how
provided for.

Proviso.

last, shall be, and hereby is entitled to the benefit of the law passed the 12th of April, 1816, entitled "An act granting privileges to the firemen of the city of New York," and fixing the time of their service: provided however, that he shall not receive the certificate granting him the privileges of that act, until the expiration of the time he would have been compelled to serve if he had not been so maimed or injured, in order to obtain such certificate.

Chief Engineer
not allowed
to decide claims.

§ 4. *And be it further enacted*, That when any doubt exists in the mind of the Chief Engineer, as to the claim of any fireman to the privileges of the foregoing section, it shall be his business to examine into such claim, and his decision shall be final.

Privates
not allowed
to become
firemen, ex-
cept, &c.

The 38th section of the act passed by the Legislature, April 21, 1818, entitled "An act to organize the Militia," reads as follows: * * * "And be it further enacted, that no non-commissioned officer or private, belonging to any company of cavalry, artillery, grenadiers, riflemen, or light infantry, shall be permitted, hereafter, to leave the troop or company to which he belongs, to engage to serve as a fireman in any fire company, in any city or county, which is now raised, or hereafter to be raised, or to leave such troop or company and enlist in any other, without the written consent of the captain or commandant of the troop or company to which he belongs, except in cases of removal from and out of the beat of such troop or company; and it shall be the duty of the officers commanding any uniformed company, who by law are exempted from serving on juries, to return as a delinquent every non-commissioned officer and private who shall not appear on parade in the complete uniform of his corps; and for each offense he shall be liable to pay a fine not exceeding five dollars.

42d SESSION.

CHAP 6.

AN ACT to amend. "*An act concerning the Fire Department of the City of New York :*" passed February 28th, 1817.

PASSED January 15, 1819.

Whereas, The reference in the second section of the above-mentioned act is to the act of 1813, instead of the act entitled "An act for the more effectual prevention of fires in the city of New York," passed April 11th, 1815; therefore,

§ 1. Be it enacted by the People of the State of New York, represented in Senate and Assembly: That the fines and penalties imposed by so much of the law passed April 11th, 1815, entitled, "An act for the more effectual prevention of fires in the city of New York," as relates to the more effectual prevention of fires, shall and may be recovered, with costs of suit, in any court of record within this State, by the Fire Department of the City of New York, for their own use, and that the second section of the act hereby amended, be, and the same is hereby repealed.

Fines, how recovered.

43d SESSION.

CHAP. 131.

AN ACT *relating to the Fire Department in the City of New York.*

PASSED April 1, 1820.

Fines recoverable,
with costs.

§ 1. Be it enacted by the People of the State of New York, represented in Senate and Assembly : That the fines and penalties imposed by so much of the law, passed the ninth of April, in the year one thousand eight hundred and thirteen, entitled "An act to reduce several laws, relating particularly to the city of New York, into one act," as relates to the more effectual prevention of fires, shall and may be recovered, with costs of suit, in any court of record within this State, by the Fire Department of the City of New York, for their own use.

45th SESSION.

CHAP. 203.

AN ACT *in addition to the Act for the more effectual prevention of fires in the city of New York.*

PASSED April 12, 1822.

§ 1. Be it enacted by the People of the State of New York, represented in Senate and Assembly : That all dwelling-houses, store-houses, and other buildings, which from and after the passing of this act, shall be built or erected fronting on Harman street, and on that part of Clinton street which lies between Harman street and Cherry street, and also within that part of the said city which lies between Harman street and Cherry street, and between Clinton street and Catharine street, shall be made or constructed of stone or brick, with party or fire-walls, rising at least six inches above the roof, and shall be covered, except the flat roof thereof, with tile or slate, or other safe materials against fire, and not with boards or shingles ; provided such flat do not exceed two fifth parts of such roof, and that there be erected around the same flat, a substantial balcony or balustrade.

Buildings fronting on Harman street, &c., to be built of brick or stone.

Provide

§ 2. *And be it further enacted,* That the said provisions and regulations shall not extend or apply to any building whatsoever, that shall be erected or built upon any lands, tenements, or hereditaments, fronting upon the said streets, or within the said limits, by any lessee or lessees, or any other

Said provisions not to apply in cases of leasehold estates.

Proviso.

person or persons possessed of a leasehold estate, or interest of and in such lands, tenements, or hereditaments, for any term of years, whereof not more than twenty years shall be unexpired at the passage of this act; provided, nevertheless, that every such lot of land so being under any such lease shall not be exempted from the operation of this act any longer than until such lease shall have expired.

Penalties.

§ 3. *And be it further enacted*, That if any dwelling-house, store-house, or other building whatsoever, shall be erected or roofed contrary to the preceding section, the proprietor or proprietors thereof shall, for every such offense, forfeit and pay the sum of five hundred dollars; and every builder who shall build or roof, or assist in building or roofing such dwelling-house, store-house, or other building, contrary to the said section, whether he be proprietor or not, shall, for every such offense, forfeit and pay the sum of two hundred and fifty dollars; to be recovered, with costs of suit, in any court of record within this State, by the Fire Department of the City of New York, in their own name, and for their own use.

Buildings erected contrary to this act, to be deemed common nuisances.

§ 4. *And be it further enacted*, That every such dwelling-house, store-house, or other building, which, after the passing of this act, shall be erected or roofed within the fire limits of said city, contrary to this act, shall be deemed a common nuisance; and the Justices of the Supreme Court, and the Justices of the Courts of Oyer and Terminer and General Jail Delivery, and the Justices of the Courts of General Sessions of the Peace, shall, within the said city, have cognizance of such offenses; and the court to which an indictment or presentment shall be preferred for such offense, shall be, and hereby is empowered and enjoined to prosecute such indictment, or cause the same to be prose-

cuted, in the usual manner of prosecutions, and upon conviction, to adjudge such fines and penalties as they, in their discretion, shall think fit and proper, and also, in their discretion, to cause such nuisance to be abated and removed.

§ 5. *And be it further enacted,* That if any dwelling-house, store-house, or other building already erected, and now covered with boards and shingles, fronting on the said streets, or within the said limits, shall, at any time hereafter, require to be roofed, it shall and may be lawful for the proprietor to roof the same with boards or shingles, or in such other manner as was customary before the passing of this act; any thing herein contained to the contrary notwithstanding.

§ 6. *And be it further enacted,* That all roofs, steeples, cupolas, and spires of churches and other public buildings, may be covered with boards and shingles, and all privies not exceeding ten feet square and fifteen feet in height, and all fire-engine houses of the Corporation, and all lime-houses, which shall be erected by the express permission of the Corporation, may be built of wood or boards, and covered with boards or shingles; any thing in this act to the contrary notwithstanding.

As to buildings already erected.

Public buildings, &c., may be covered with boards or shingles.

46th SESSION.

CHAP. 122.

AN ACT to amend an act entitled "An act for the more effectual prevention of fires in the city of New York," passed April 11, 1815.

PASSED April 9, 1823.

Certain
buildings re-
quired to be
fire-proof.

§ 1. Be it enacted by the People of the State of New York, represented in Senate and Assembly: That all dwelling-houses, store-houses, and other buildings, which, from and after the passing of this act, shall be built or erected in the city of New York, that is to say, within that part of the city to the northward of the point of the Battery, and included between the said point of the Battery and a line beginning upon the East river, opposite Montgomery street, to Cherry street; thence down Cherry street to Catharine street; thence through Catharine street to Chatham street; thence down Chatham street to Pearl street; thence through Pearl street to Elm street; thence through Elm street to Canal street; thence through Canal street to Broadway; thence up Broadway to Art street; thence commencing again at Canal street, and running to Hudson's river; including all lots of ground to the depth of one hundred feet, on the northerly and easterly sides of said streets, through which the above-mentioned line runs, excepting as hereinafter excepted; and including, also, the lots of ground to the depth of one hundred feet, fronting on both sides of Broadway, between Canal street and Art street; excepting,

however, the lots on the easterly side of Elm street, shall be made and constructed of stone and brick, with party or fire-walls, rising at least six inches above the roof, and shall be covered, except the flat roof thereof, with tile or slate, or other safe materials against fire, and not with boards or shingles; provided such flat do not exceed two fifth parts of such roof, and that there be erected around the same flat a substantial balcony or balustrade. Provide.

§ 2. *And be it further enacted*, That the first section of the act hereby amended, be, and the same is hereby repealed, A certain section repealed. and that all the other provisions and penalties in the said act shall have the same force and effect, to all intents and purposes, which they would have had, provided the provisions of this act had been incorporated with, and made part of the act hereby amended, at the time the same was passed; provided, however, that the repeal of the said section shall not in any wise affect any suit of prosecution commenced, or penalty or offense incurred or committed previous to the passing of this act; but every such suit or prosecution may lawfully proceed, and every such penalty or offense be demanded, prosecuted, recovered, or punished, as the case may be, as if the said section of the said act had remained in full force; nor shall any thing herein contained in any wise affect the provisions of the act entitled, "An act in addition to the act for the more effectual prevention of fires in the city of New York," passed April 12, 1822. Provide.

The sixty-first section of chap. 244 of the forty-sixth session, being "An act to organize the Militia," passed April 23, 1823, contains the following clause:

And be it further enacted, That no non-commissioned officer, musician, or private, belonging to any company of Militia not permitted to engage as firemen.

cavalry, artillery, grenadiers, riflemen, or light infantry, shall be permitted hereafter to leave the troop or company to which he belongs, to engage to serve as a fireman in any fire company, in any city or county, which is now raised or hereafter to be raised.

47th SESSION.

CHAP. 34.

*AN ACT allowing testimony in certain cases relating to the
Fire Department in the city of New York.*

PASSED February 6, 1824.

§ 1. Be it enacted by the People of the State of New York, represented in Senate and Assembly: That in any action, suit, or other proceeding which now is, or hereafter may be instituted, commenced, or prosecuted, for the recovery or collection of any fine, penalty, or forfeiture imposed by any existing or future law of this State, or by any existing or future law or ordinance of the Mayor, Aldermen, and Commonalty of the City of New York, and appropriated to the use of the Fire Department of the City of New York, or of any of the fire companies in said city, it shall be no objection to the competency of any witness in any such action, suit, or other proceeding, for the recovery or collection of any such fine, penalty, or forfeiture, so imposed and appropriated to the use of the Fire Department of the said city, or of any of the fire companies in said city, that he, the said witness, is or has been a fireman of said city, or a member of the said Fire Department, or is or may become entitled to the benefit of the Fire Department Fund of the City of New York.

Competency of witnesses in certain cases.

50th SESSION.

CHAP. 93.

AN ACT *in addition to the act entitled "An act in addition to the act for the more effectual prevention of fires in the city of New York," passed April 12, 1822.*

PASSED March 21, 1827.

Materials
for building
in certain
districts pre-
scribed.

§ 1. Be it enacted by the People of the State of New York, represented in Senate and Assembly : That all dwelling-houses, store-houses, and other buildings, which, from and after the first of August next, shall be built or erected without the limits prescribed in and by the act entitled "An act to amend the act entitled an act for the more effectual prevention of fires in the city of New York," passed April 9th, 1823, and to the west and south of the limits following, that is to say : beginning at a point in the centre of the Bowery and Chatham street, where it is intersected by a line drawn through the centre of Catharine street, and running thence up the Bowery to Grand street ; thence through Grand street to Broadway ; comprehending, also, and including the lots, to the depth of one hundred feet, on each side of the streets through which the same line runs, shall be made and constructed of stone or brick, with party or fire-walls, rising at least six inches above the roof, and shall be covered, except the flat roof thereof, with tile or slate, or other safe materials against fire, and not with boards and shingles ; provided such flat

Proviso.

do not exceed two fifth parts of such roof, and that there be erected around the same flat a substantial balcony or balustrade.

§ 2. *And be it further enacted*, That all the provisions and penalties in the said act, entitled "An act in addition to the act for the more effectual prevention of fires in the city of New York," passed April 12th, 1822, shall have the same force and effect, to all intents and purposes, with respect to the district embraced in this act, which they would have had, provided the provisions of that act had been incorporated and made a part of this act. Certain penalties.

52d SESSION.

CHAP. 100.

AN ACT to amend an act entitled "*An act granting privileges to the firemen of the city of New York.*"

PASSED April 4, 1829.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

What term
of service,
except in cer-
tain cases.

§ 1. Every person who, on the first day of February, in the year of our Lord one thousand eight hundred and twenty-nine, had been a fireman of the city of New York, during seven, eight, or nine years, and who shall serve as such one year thereafter; and every person who, on the said first day of February, had been such fireman for six years, or a less period of time, and who shall serve as such for so long a time thereafter as shall make the whole term of his services eight years; and every person who may have become such fireman after the said first day of February, and who shall serve as such for seven years, shall be forever, after such service, exempted from serving as a juror in any of the courts of this State, and from all militia duty, except in cases where the militia are ordered into actual service.

§ 2. The first section of the act hereby amended is repealed.

52d SESSION.

FIRE LIMITS EXTENDED.

CHAP. 84.

1. BUILDINGS WITHIN CERTAIN LIMITS TO BE OF STONE OR BRICK.
2. ACT OF APRIL 11, 1815, EXTENDED.
3. FIRE LIMITS DEFINED.

AN ACT *further to extend the act passed April 11th, 1815, entitled "An act for the more effectual prevention of fires in the city of New York."*

PASSED May 1, 1829.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

§ 1. All dwelling-houses, store-houses, and other buildings, which, from and after the first day of May next, shall be built or erected without the limits prescribed in and by the act entitled "An act in addition to the act for the more effectual prevention of fires in the city of New York," passed April 12th, 1822, and to the west and south of the limits following, that is to say: beginning upon the East river, opposite Gouverneur street, and running thence through Gouverneur street to Division street; and thence through Division street to Catharine street; including, also, the lots, to the depth of one hundred feet, on each side of Gouverneur street, and on the south side of Division street, through which the said line runs (or so much of said

Buildings,
how to be
erected with-
in certain
limits.

lots on Division street, as are not embraced in the provisions of any existing law for the prevention of fires in the said city) ; also, all dwelling-houses, store-houses, and other buildings, which, from and after the first day of May next, shall be built or erected without the limits prescribed in and by the act passed April 9, 1823, entitled " An act for the more effectual prevention of fires in the city of New York," passed April 11, 1815, and to the west and south of the limits following, that is to say : beginning upon the North or Hudson's river, opposite Spring street, and running thence through Spring street to Broadway ; and thence through Broadway to Canal street ; including, also, the lots of ground, to the depth of one hundred feet, on the north-erly side of Spring street, between Broadway and the North or Hudson's river ; and also all dwelling-houses, store-houses, and other buildings, which, from and after the first day of May next, shall be built or erected without the limits prescribed in and by the act passed March 21, 1827, entitled " An act in addition to the act entitled an act in addition to the act for the more effectual prevention of fires in the city of New York," passed April 12th, 1822 ; and to the west and south of the limits following, that is to say : beginning at a point in the centre of the Bowery, where it is intersected by Grand street, and running thence through the Bowery, to Houston street ; and thence through Houston street to Broadway ; including, also, the lots of ground, to the depth of one hundred feet, on each side of those parts of the Bowery and Houston street, through which the said line runs ; shall be made and constructed of stone or brick, with party or fire-walls, rising at least six inches above the roof, and shall be covered, except the flat roof thereof, with tile or slate, or other safe material against fire, and not with boards and shingles ; provided such flat

Of stone or
brick.

Proviso.

roof do not exceed two fifth parts of such roof, and that there be erected around the same flat a substantial balcony or balustrade.

§ 2. All the provisions and penalties in the said act entitled "An act for the more effectual prevention of fires in the city of New York," passed April 11, 1815, shall have the same force and effect, to all intents and purposes, with respect to the districts embraced in the first section of this act, which they would have had if the provisions of that act had been incorporated with and made part of this act.

53d SESSION.

AN ACT to amend the acts heretofore passed for the prevention of fires in the city of New York.

PASSED April 20, 1830.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Buildings
to be of stone
or brick.

§ 1. The outside and party-walls of all dwelling-houses, store-houses, and other buildings, hereafter to be erected or built within the fire limits of the city of New York, as the same now exist, or may hereafter be extended, shall be constructed of stone or brick.

Outside and
party-walls.

§ 2. The outside and party-walls of such buildings shall not be less than eight inches thick, except flues of chimneys, in any part thereof; and the party or end walls of such buildings shall rise and be extended to the roof, and so far through the same as to meet and be joined to the slate, tile, or other covering thereof, by a layer of mortar or cement.

Roof.

§ 3. The planking or sheeting of the roof of any such building shall, in no case, be extended across the party or end walls thereof; and all such buildings, and to the top and sides of all dormer-windows therein, shall be roofed or covered with tile, slate, or other fire-proof material.

Timbers.

§ 4. All beams and other timbers in the party-walls of such buildings shall be separated from each other, at least

four inches, by brick or mortar ; and all plate pieces in the front and rear walls thereof, shall recede from the outside of the walls at least four inches ; and such wall shall be built up and extended to the slate, or other fire-proof covering of the roof.

§ 5. All discharging or arch pieces used in the chimneys Chimneys. of any such buildings, shall recede from any flue in any such chimney at least four inches ; no such chimney shall be started or built upon the floor of the building, or be cut off, to be supported below by wood ; and all hearths shall be supported with arches of stone or brick.

§ 6. No timber shall be used in the front or rear of any Front and rear walls. building within such fire limits, where stone is now commonly used ; each lintel on the inside of the front or rear wall of every such building shall have a secure brick arch over it ; and no bond timber in any wall thereof shall in width and thickness exceed the width and thickness of a course of brick ; and such bond timbers shall be laid at least eighteen inches apart from each other, on either side of any wall respectively.

§ 7. All wooden gutters of any such building over thirty Gutters. feet in height, from the level of the sidewalk to the foot of the rafters, shall be lined or covered, on the upper surface thereof, with copper, zinc, or other fire-proof material.

§ 8. All scuttles on any such building shall be made or Scuttles. covered with copper, zinc, iron, or other fire-proof material ; and all window-shutters and doors in the rear of any such building (if such building be over thirty feet in height, as aforesaid), which shall be used as a warehouse, or store-house, for goods, shall be made of iron or copper.

§ 9. All plate pieces in any such building as is described Plate pieces.

or mentioned in the first section of this act, shall be firmly secured with iron anchors ; and the cornice of every such building shall be hung in iron anchors.

Anchors.

§ 10. The anchors so to be used at each end of any such cornice, shall be at least four feet long, including an angle of at least one foot, and shall be worked or built into the side or end walls of the building ; and such anchors, used for supporting the centre of the cornice, shall return down the front of the building on the inner side, and shall be firmly secured to the front beam.

**Buildings
subject
to provision
of this act.**

§ 11. Every building of more than thirty feet in height, from the level of the sidewalk to the foot of the rafters, which shall hereafter be erected or built to the southward of a line distant one hundred feet northward of the northerly side of Fourteenth street, shall be subject to all the provisions of this act.

**Buildings
damaged,
how repair-
ed.**

§ 12. Every building within the fire limits, as the same now exist, or may hereafter be extended, which may hereafter be damaged by fire, to an amount equal to two-thirds of the whole value thereof, after the lapse of at least fifteen years from the time of its first erection, shall be repaired or rebuilt according to the provisions of this act.

Damages.

§ 13. The amount or extent of such damage may be determined by three indifferent persons residing in the said city ; one of whom shall be appointed by the owner or owners of the building, another by the Fire Wardens of the ward in which such building is situated, and the third by the two persons so appointed ; and the decision, in writing, of such three persons, or of any two of them, shall be final and conclusive, in all cases where such mode of determining the extent of any such damage shall have been agreed upon.

§ 14. All roofs, steeples, cupolas, and spires of churches and other public buildings (where such public building shall stand at least ten feet distant from any and every other building), may be covered with boards or shingles. Roofs or steeples, cupolas, &c.

§ 15. Public buildings, as mentioned in the last preceding section, are hereby defined to be such buildings as shall be owned or occupied, for public purposes, by this State, the United States, or the Corporation of the City of New York, or the Public School Society. Public buildings

§ 16. All privies, not exceeding ten feet square and fifteen feet in height, and all fire-engine houses belonging to the Corporation of the said city, and all lime and ferry-houses which shall be erected with the express permission of the said Corporation, may be built and covered with wood, boards, or shingles. Privies.

§ 17. The owner or owners of any building who shall violate any of the foregoing provisions of this act, shall, for every such offense, forfeit and pay the sum of five hundred dollars ; and every builder who shall be employed, or assist in so doing, whether he be an owner of such building or not, shall, for every such offense, forfeit and pay the additional sum of two hundred and fifty dollars. Penalty.

§ 18. The foregoing provisions of this act shall not apply to any building heretofore erected by any lessee or lessees, or other persons possessed of a leasehold interest in any lands, tenements, or hereditaments, and which, by any express exception, in any law heretofore passed, relative to the prevention of fires in the city of New York, would be exempt from the provisions of such law. Certain buildings exempt from provisions of this act.

§ 19. All ash-holes or ash-houses within the said city shall be built of stone or brick, without the use of wood in any part thereof. Ash-holes

Wooden
sheds.

§ 20. No wooden shed exceeding twelve feet in height, at the peak, or highest part thereof, shall be erected within the fire limits of the said city, as the same now exist or may hereafter be extended.

Wooden
buildings.

§ 21. No wooden building shall be raised, enlarged, or built upon, or removed from one lot to any other lot within such fire limits, as the same now exist or may hereafter be extended.

Penalty.

§ 22. The owner or owners of any ash-house or ash-hole, wooden shed or wooden building, who shall violate any of the provisions of the nineteenth, twentieth, or twenty-first sections of this act, and every master-builder who may be employed or assist therein, shall, for every such offense, severally forfeit and pay the sum of two hundred and fifty dollars; and such owner or owners shall forfeit and pay the additional sum of fifty dollars for every twenty-four hours during which such ash-house or hole, wooden shed or wooden building shall remain in violation of any such provision, after due notice shall have been given to remove the same.

Common
nuisance.

§ 23. Every house, shed, or other building, of any description whatsoever, hereinbefore mentioned, which shall hereafter be erected, built, roofed, repaired, altered, enlarged, built upon or removed, contrary to any of the foregoing provisions of this act, shall be deemed a common nuisance.

Gunpowder.

§ 24. It shall not be lawful for any person or persons to have or keep any quantity of gunpowder, exceeding twenty-eight pounds in weight, in any one house, store, building, or other place in the city of New York, to the southward of a line running through the centre of Fourteenth street, from

the North to the East river ; or to lade, receive, have, or keep any greater quantity of gunpowder than as aforesaid, on board of any ship, vessel, boat, or other water craft whatever, within three hundred yards from any wharf, pier, or slip, in that part of the city lying southward of the same line.

§ 25. All gunpowder, which may be kept in the said city, How to be kept. or on board of any ship, vessel, boat, or other water craft, to the southward of the line mentioned in the last section, shall be kept in stone jugs or tin canisters, which shall not contain more than seven pounds each.

§ 26. If any person or persons shall have or keep any Penalty. gunpowder in the city of New York, or on board of any ship, vessel, boat, or water craft to the southward of the said line, in any manner contrary to the foregoing provisions of this act, either as to quantity or as to the manner of keeping the same, he, she, or they shall forfeit and pay the sum of one hundred and twenty-five dollars for every hundred pounds of gunpowder so had or kept, and in that proportion for a greater or less quantity ; and all such gunpowder shall be forfeited to the Fire Department of the said city.

§ 27. The commander or owner or owners of every ship or other vessel arriving in the harbor of New York, and having more than twenty-eight pounds of gunpowder on board, shall within forty-eight hours after such arrival, and before such ship or vessel shall approach within three hundred yards of any wharf, pier, or slip, to the southward of a line drawn through the centre of Fourteenth street, as aforesaid, cause the said gunpowder to be landed by means of a boat or boats, or other small craft, at any place without the said limits, which may be most contiguous Powder to be landed from vessels.

ous to any magazine for storing gunpowder, and shall cause the said gunpowder to be stored in such magazine, on pain of forfeiting the same to the Fire Department of the City of New York.

Transship-
ment of pow-
der.

§ 28. It shall be lawful to proceed with any such ship or vessel to sea, within forty-eight hours after her arrival, or to tranship such gunpowder from one ship or vessel to another, for the purpose of immediate exportation, without landing such gunpowder, as in the last section is directed; but in neither case shall it be lawful to keep such gunpowder for a longer time than forty-eight hours in the harbor of New York, or to approach with the same within three hundred yards of any wharf, pier, or slip in the said city, to the southward of the line specified in the last section, on pain of forfeiture, as therein mentioned.

How to be
carried
through the
streets.

§ 29. All gunpowder which shall be conveyed or carried through any of the streets of the city of New York, in any cart, carriage, wagon, wheelbarrow, or otherwise, shall be secured in tight casks or kegs, well headed and hooped, each of which shall be put into and entirely covered with a leather bag or case, sufficient to prevent any such gunpowder from being spilled or scattered; and all gunpowder which shall be conveyed or carried through any of the said streets, in any other manner than as above directed, shall be forfeited to the Fire Department of the said city.

Where to
be stored
when forfeit-
ed.

§ 30. In every case of a violation of any provision of this act, where the penalty prescribed thereby, for such violation, is the forfeiture of any gunpowder to the said Fire Department, it shall be lawful for any Fire Warden of the said city to seize such gunpowder, in the day-time, and to cause the same to be conveyed to any magazine used for the purpose of storing gunpowder.

§ 31. It shall be the duty of every person who shall make any such seizure, forthwith to inform the Mayor or Recorder, and any two Aldermen of the said city thereof; and the said Mayor, or Recorder, and Aldermen shall thereupon inquire into the facts and circumstances of such alleged violation and seizure; for which purpose they may summon any person or persons to testify before them, and they shall have power, in their discretion, to order any gunpowder so seized to be restored.

Notice to
be given of
seizure.

§ 32. Whenever any inhabitant of the said city shall make oath, before the Mayor or Recorder, or any two Aldermen, or any two special justices thereof, of any fact or circumstances which, in the opinion of the said Mayor, Recorder, Aldermen, or special justices, shall afford a reasonable cause of suspicion that any gunpowder has been brought or is kept within the said city, or in the harbor thereof, contrary to any provision contained in this act, it shall be lawful for the said Mayor, Recorder, Aldermen, or special justices to issue his or their warrant or warrants, under his or their hand and seals, to any sheriff, marshal, constable, or fit person or persons, commanding him or them to search for such gunpowder, in the day-time, wheresoever the same be in violation of this act, and to seize and take possession of the same, if found; but no person having or acting under any such search-warrant shall take advantage thereof to serve any civil process whatever.

Search war-
rant may be
issued in cer-
tain cases.

§ 33. It shall be lawful for any person or persons who, by virtue of any such warrant, shall have seized any gunpowder, to cause the same, within twelve hours, in the day-time, after such seizure, to be conveyed to any magazine used for storing gunpowder, unless the said Mayor or Recorder, or any two Aldermen of the said city, should, in the

And seizure
made.

manner directed by the thirty-first section of this act, order the same to be restored ; such gunpowder shall be detained in such magazine, until it shall be determined, by due course of law, whether the same may have become forfeited by virtue of this act.

Actions to recover powder, how and when to be brought.

§ 34. All actions or suits for the recovery of any gunpowder which may have been seized and stored in any magazine, by virtue of this act, or for the value thereof, or for damage sustained by the seizure or detention thereof, shall be brought against the Fire Department of the City of New York, and shall be commenced within three calendar months next after such seizure shall have been actually made ; and in case no such action or suit shall have been commenced within such period, such gunpowder shall be deemed absolutely forfeited to the said Fire Department, and may be immediately delivered to the proper officers thereof, for its use. No penal damages shall be recovered in any such action or suit, and such gunpowder may, at any time during the pendency of any such action or suit, by consent of the parties thereto, be removed from any magazine where the same may have been stored ; or may be sold, and the moneys arising from such sale may be paid into the court where such suit or action may be pending, to abide the event thereof.

This act not to apply to ships of war.

§ 35. Nothing contained in this act shall be construed to apply to any ship or vessel of war in the service of the United States, or of any foreign government, while lying distant three hundred yards or upwards from the wharves, piers, or slips of the said city.

Seizure of powder during any fire.

§ 36. If any gunpowder, exceeding twenty-eight pounds in quantity, shall be found in the possession or custody of

any person, by any fireman of the said city, during any fire or alarm of fire therein, it shall be lawful for such fireman to seize the same without any warrant, and to report such seizure, without delay, to the Mayor or Recorder of the said city ; and it shall be determined by the Mayor or Recorder, or any two Aldermen of the said city, in the manner directed by the thirty-first section of this act, whether such gunpowder should be restored, or the same shall be conveyed to a magazine for storing gunpowder, and there detained, until it be decided by the course of law, whether such gunpowder be forfeited by virtue of this act.

§ 37. No quantity of sulphur more than ten hundred weight ; or of hemp or flax, than twenty hundred weight ; or of pitch, tar, turpentine, rosin, spirits of turpentine, varnish, linseed oil, oil of vitriol, aqua fortis, ether, or shingles, than shall be allowed by the Common Council of the City of New York, shall be put, kept, or stored in any one place in the said city, to the southward of a line drawn through the centre of Fourteenth street, unless with the permission of the said Common Council.

Sulphur,
&c., in what
quantities to
be kept.

§ 38. Every person who shall violate either of the provisions of the last section, shall, for every such offense, forfeit and pay the sum of twenty-five dollars ; and in case any such person or persons shall neglect or refuse to remove any of the articles prohibited by the said section, within such time as may be allowed for that purpose by the Mayor or Recorder, or any two Aldermen of the said city, he, she, or they shall, for every such neglect or refusal, forfeit and pay an additional sum of twenty-five dollars.

Penalty.

§ 39. Nothing herein before contained, shall be construed to prohibit any ship chandler from keeping, at any time,

Pitch, tar,
&c.

in any inclosure in the said city, any quantity of pitch, tar, rosin, or turpentine, not exceeding twenty barrels in the whole.

Suits to re-
cover penal-
ties.

§ 40. All pecuniary penalties imposed by this act may be sued for and recovered, with costs of suit, in any court having cognizance thereof, by the proper officers of the Fire Department of the said city, for the use of the said Fire Department.

To be
brought in
one year.

§ 41. All actions for any forfeiture or penalty incurred under this act, shall be commenced within one year next after the time of incurring such forfeiture or penalty.

Repeal.

§ 42. All laws or parts of laws heretofore passed, inconsistent with the provisions of this act, are hereby declared to be repealed, but such repeal shall not affect any suit or prosecution already commenced, or any penalty, forfeiture, or offense, already incurred or committed, under any such law, or part of a law.

54th SESSION.

CHAP. 189.

AN ACT to extend the charter of the firemen of the city of New York.

PASSED April 16, 1831.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

§ 1. The act entitled "An act to incorporate the firemen of the city of New York," passed March the 20th, 1798, and all acts and parts of acts relating to the said corporation, and which are now in force, shall be continued in force until the first day of May, one thousand eight hundred and sixty, unless sooner altered, modified, or repealed by the Legislature.

§ 2. The said corporation shall have power to purchase, hold, and convey any estate, real or personal, for the use and objects for which the said corporation was instituted ; but such real or personal estate shall not exceed the sum of fifty thousand dollars.

54th SESSION.

CHAP. 212.

AN ACT to extend the fire limits in the city of New York.

PASSED April 21, 1831.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Dwellings,
how con-
structed
without fire
limits.

§ 1. All dwelling-houses, store-houses, and other buildings, which, after the first day of July next, shall be built or erected in the city of New York, without the fire limits of the said city, as the same may have been defined or extended by any act or acts heretofore passed, and within the following boundaries, that is to say :

1. Beginning on the East river, opposite Rivington street, and running thence through Rivington street to the Bowery ; thence through the Bowery to Division street ; thence through Division street to Gouverneur street ; thence through Gouverneur street to the East river ; and thence along the East river to the place of beginning ; including all the lots, to the depth of one hundred feet, on the northerly side of such part of the Bowery as are comprised in the foregoing description.

2. Beginning at the intersection of Broadway and Spring street, and running thence through Spring street to a line drawn one hundred feet distant, westerly, from the westerly side of Greene street, and parallel thereto ; thence

through Amity street to the Sixth avenue; thence along said line to Amity street through the Sixth avenue, to Eighth street; thence through Eighth street to a line drawn two hundred feet distant, westerly, from the westerly side of Broadway, and parallel thereto; thence along the last-mentioned line to the centre of Tenth street; thence along a line parallel to the Bloomingdale road, and two hundred feet distant, westerly, from the westerly side thereof, to Fourteenth street; thence through Fourteenth street to the Bowery; thence through the Bowery to Houston street; thence through Houston street to Broadway; and thence through Broadway to the place of beginning; and including all the lots, to the depth of one hundred feet, on the southerly side of such part of Amity street, and on the northerly side of such part of Eighth street, as are mentioned in the foregoing description; and,

3. Beginning at the intersection of the Bowery and Fourteenth street; and running thence through Fourteenth street to the First avenue; thence through the First avenue to North street; thence through North street to the Bowery; and thence through the Bowery to Fourteenth street, at the place of beginning; and including all the lots, to the depth of one hundred feet, on the northerly side of such part of Fourteenth street, the easterly side of such part of the First avenue, and the southernmost side of such part of North street, as are mentioned in the foregoing description, shall be deemed to be within the fire limits of the said city; and shall be subject to all the provisions of the act for the more effectual prevention of fires in the city of New York, passed April 11th, 1815, and of the several acts to amend, or in addition to the same.

56th SESSION.

AN ACT to extend the fire limits in the city of New York.

PASSED April 30, 1833.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Fire limits
extended.

Boundaries.

§ 1. All dwelling-houses, store-houses, and other buildings which, after the first day of August next, shall be built or erected in the city of New York, without the fire limits of the said city, as the same may have been defined or extended by any act or acts heretofore passed, and within the following boundaries, that is to say: beginning on Orchard street, at a point distant one hundred feet northerly from the northerly line of Rivington street, and running thence, northerly, through Orchard street to North street; thence, westerly, through North street to a line drawn one hundred feet distant easterly, from the easterly side of the First avenue, and parallel thereto; thence, northerly, along the said line to Second street; thence, easterly, through Second street to North street; thence, still easterly, through North street to the easterly side of Lewis street; thence, southerly, along the easterly side of Lewis street, to a line drawn one hundred feet distant, northerly, from the northerly side of Rivington street, and parallel thereto; and thence, westerly, along the said line to the place of beginning, shall be deemed to be within the fire limits of the said city, and shall be subject to all the provisions of the act for the more effectual prevention of fires in the city of New York, passed April 11, 1815, and of the several acts to amend, or in addition to the same.

57th SESSION.

CHAP. 156.

AN ACT to extend the fire limits of the city of New York.

PASSED April 23, 1834.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

§ 1. All dwelling-houses, store-houses, and other buildings which, after the first day of August next, shall be built or erected in the city of New York, without the fire limits of the said city, as the same have been defined or extended by any act or acts heretofore passed, and within the following line or boundary, that is to say : beginning at a point in the centre of Goerck street, distant one hundred feet, northerly, from the northerly side of Rivington street ; and running thence, northerly, through the centre of Goerck street to the centre of Third street ; thence, westerly, through the centre of Third street to the centre of Lewis street ; thence, northerly, through the centre of Lewis street to the centre of Eighth street ; thence, westerly, through the centre of Eighth street to the centre of Avenue D ; thence, northerly, through the centre of Avenue D to the centre of Tenth street ; thence, westerly, through the centre of Tenth street to the centre of Avenue C ; thence, northerly, through the centre of Avenue C to a line distant one hundred feet, northerly, from the northerly side of Fourteenth street ; thence, westerly, and parallel with Fourteenth

Dwellings,
&c., how to
be erected
hereafter.

street, to a line distant one hundred feet, easterly, from the easterly side of Second avenue; thence, northerly, and parallel with the Second avenue, to a line distant one hundred feet, northerly, from the northerly side of Twenty-first street; thence, westerly, and parallel with Twenty-first street, to a line distant one hundred feet, westerly, from the westerly side of the Sixth avenue; thence, southerly, and parallel with the Sixth avenue, to a line distant one hundred feet, northerly, from the northerly side of Fourteenth street; thence, westerly, and parallel with Fourteenth street, to the centre of the Ninth avenue; thence, southerly, through the centre of the Ninth avenue to the centre of Greenwich street; thence, still southerly, through the centre of Greenwich street, to the centre of Bethune street; thence, westerly, through the centre of Bethune street to the centre of Washington street; thence, southerly, through the centre of Washington street to the centre of Hamersley street; and thence, westerly, through the centre of Hamersley street to the Hudson river, shall be deemed to be within the fire limits of the said city, and shall be subject to all the provisions of the act for the more effectual prevention of fires in the city of New York, passed April 11, 1815, and of the several acts amending, modifying, or in addition to the same.

57th SESSION.

CHAP. 220.

AN ACT to amend and modify the acts now in force for the prevention of fires in the city of New York.

PASSED April 30, 1834.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

§ 1. The outside and party-walls of all dwelling-houses, Party-walls. store-houses, and other buildings, hereafter to be erected or built within the fire limits of the city of New York, as the same now exist and may hereafter be extended, which shall exceed thirty feet in height, from the level of the sidewalk to the foot of the rafter, shall not be less than twelve inches thick.

§ 2. No chimney, in any building now built, or hereafter Chimneys. to be built in the said city, shall be started or built upon the floor of the building, or be cut off, to be supported by any manner of wood.

§ 3. All wooden gutters or cornices of any such building shall be firmly secured by irons, which shall not be more than seven feet and a half apart from each other, in any case. Gutters or cornices. And for all such gutters, not exceeding twelve inches in width, the said irons shall be at least two inches wide, and half of an inch thick ; and for all such gutters exceeding twelve inches in width, the said irons shall be at least

two inches and a half wide and five eighths of an inch thick. The said irons, except those at the end of the cornice or gutter, shall be fastened or secured to the floor-beam, and the end irons shall be fastened, with nuts and screws, to the plate irons.

Plate irons
and anchors.

§ 4. All plate irons shall be built into the end or party-walls, and the iron anchors used to secure plate pieces shall be at least two inches wide by half of an inch thick. The anchors so to be used at each end of any such plate piece shall be at least four feet long, and shall be worked or built into the side or end walls of the building, and the end of said anchor shall turn down not less than four inches.

Scuttle-
frames and
doors.

§ 5. All scuttle-frames and doors on any such building shall be made or covered with copper, zinc, iron, or other fire-proof material; and all windows and entrances in the rear of any such building, above the first story over thirty feet in height, as aforesaid, which shall be used for any other purpose than that of a dwelling-house, shall have shutters and doors to be made of iron or copper.

Wooden
sheds.

§ 6. No wooden shed shall be erected or permitted within the fire limits of the said city, as aforesaid, unless one whole side of the same be left entirely and constantly open, in addition to its not exceeding twelve feet in height at the peak or highest part thereof.

Wooden
buildings.

§ 7. No wooden building shall be raised, enlarged, or built upon within the said fire limits, otherwise than by putting dormer-windows, not to exceed two in number, thereon; and no such dormer-window shall exceed five feet in width.

Penalties
and forfeit-
ures.

§ 8. Every penalty or forfeiture which may be incurred by the owner or builder of any building, either under the

seventh section or the twenty-second section of the act entitled "An act to amend the acts heretofore passed for the prevention of fires in the city of New York," passed April 20th, 1830, shall be a lien upon such building until the same shall have been satisfied, notwithstanding any sale or conveyance thereof, before judgment may have been obtained for such penalty or forfeiture.

§ 9. All such parts of the second, fifth, eighth, ninth, ^{Repeal.} tenth, twentieth, and twenty-first sections of the above-mentioned act, or of any other section thereof, as may be contrary to or inconsistent with the provisions of this act, but not otherwise, are hereby repealed; and the thirty-first section of said act is also hereby repealed.

§ 10. This act shall not take effect until the first day of August next, or operate upon dwelling-houses which shall be <sup>Act when
to take ef-
fect.</sup> built under contracts entered into previously to the passage of this act; and the Common Council shall publish this act, once a week, in every paper employed by them, from the passage thereof until that day.

58th SESSION.

AN ACT *extending further privileges to the firemen of the
respective cities within this State.*

PASSED May 8, 1835.

*The People of the State of New York, represented in Senate and
Assembly, do enact as follows:*

In case of
removal to
another city.

§ 1. The firemen of the different cities within this State, in case of removal from one city to another, shall be allowed the time which they may have served as such firemen in the city they left, in the city to which they have removed, upon producing a certificate of such service, signed by the Chief Engineer of the city so left, and being reappointed a fireman in the city to which they have removed.

Term of
service.

§ 2. When every such fireman shall have served as such for so long a time thereafter as shall make the whole term of service the same as required by law of firemen residing in the city removed to, they shall be entitled to all the privileges and exemptions now secured by law to the firemen of the cities of Albany and New York.

61st SESSION.

AN ACT to authorize the appointment of Commissioners to investigate the causes of fires in the city of New York.

PASSED April 6, 1838.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

§ 1. It shall be lawful for the Common Council of the City of New York to appoint one or more Commissioners, not to exceed three in number, to investigate the causes of fires in the city of New York, who shall hold their offices during the pleasure of the said Common Council, and shall receive such compensation as the Mayor, Aldermen, and Commonalty shall by ordinance direct.

One or more commissioners to be appointed.

§ 2. It shall be the duty of such Commissioner or Commissioners to inquire into and investigate the causes of all fires which may occur in the city of New York, as soon as may be after they occur, and to keep a record of their proceedings, and of the evidence in each case, and to file the same, or a copy thereof, in the office of the Clerk of the Common Council of the said city.

Their duty.

§ 3. It shall be lawful for the Mayor, Aldermen, and Commonalty of the City of New York, to summon and compel the attendance of any person being in the city of New York, before the said Commissioner or Commissioners, to testify upon oath concerning any fire in said city, under such penalty for non-attendance or refusal to testify, as the

Persons may be summoned to testify on oath.

said Mayor, Aldermen, and Commonalty shall by ordinance provide and direct : and the said Commissioner or Commissioners are hereby authorized to administer such oath.

Common
Council,
when to act.

§ 4. Nothing in this act contained shall be construed as compelling the said Mayor, Aldermen, and Commonalty, or the said Common Council, to exercise the powers conferred by this act, except at such time and for such period or periods as they, in their discretion, shall deem proper ; and no such Commissioners shall be appointed until one or more of the insurance companies in the said city shall agree to pay to the said Commissioners such sum or sums as the said Common Council shall fix for their compensation, and all expenses attending and consequent thereupon.

Proceed-
ings to be
public.

§ 5. The proceedings of said Commissioners shall at all times be public, as those of the courts of justice of this State.

64th SESSION.

AN ACT to amend the act to incorporate the firemen of the city of New York, passed 20th day of March, 1798.

PASSED March 1, 1841, by a two-third vote.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

§ 1. All persons who shall have served as firemen in the city of New York, "the full time required by law to exempt them from serving as a juror in any of the courts of this State, and from all militia duty, except in case where the militia are ordered into actual service," are hereby declared to be eligible to the office of president, vice-president, secretary, treasurer, collector, or trustee of the New York Fire Department.

Exempt
firemen elig-
ible to office
in Fire De-
partment.

§ 2. In case of a vacancy in the office of president, vice-president, secretary, treasurer, collector, or any of the trustees, such vacancy shall be filled up by the representatives, for the remainder of the term, by a special election to be held for that purpose.

Vacancy,
how filled.

§ 3. Such parts of the act hereby amended as conflict with this act, are repealed.

§ 4. This act shall take effect immediately.

67th SESSION.

CHAP. 815.

*AN ACT for the establishment and regulation of the Police of
the city of New York.*

PASSED May 7, 1844, by a two-third vote.

*The People of the State of New York, represented in Senate
and Assembly, do enact as follows :*

• • • • •

In case of
alarm of fire.

§ 11. At any alarm of fire, it shall be the duty of the Captain of Patrol nearest the scene of conflagration, forthwith to proceed to the same, with one half of the number of policemen off duty, to be diligent in preserving order and protecting property. In case of any riot, or any other sudden emergency, requiring the services of the police, on notice being given, the Captain of Police shall forthwith proceed to the scene of riot, with the whole police off duty, or any part thereof, and be vigilant in repressing the same.

The remaining sections relate exclusively to the police.

69th SESSION.

CHAP. 808.

AN ACT to amend an act entitled "An act for the establishment and regulation of the Police of the city of New York," passed May 7, 1844.

PASSED May 13, 1846.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

ARTICLE I.

OF POLICE.

§ 1. The Watch Department, as at present organized, is hereby abolished, together with the office of Marshals, Street Inspectors, Health Wardens, Fire Wardens, Dock Masters, day Police officers, Sunday officers, inspectors of pawn-brokers' and junk-shops, and of the officers to attend the polls at the several election districts of the city and county of New York, and Superintendent of Roads of the Twelfth Ward of said city; except the office of Mayor's or First Marshal.

Office of
Fire Warden
abolished.

The remaining sections relate exclusively to the police.

70th SESSION.

CHAP. 369.

AN ACT to amend an act entitled "*An act granting privileges to the Firemen of the City of New York, passed April 4, 1829.*"

PASSED November 16, 1847.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Time of
service
firemen.

§ 1. Every person who, on the first day of January, one thousand eight hundred and forty-eight, shall have served as a fireman of the city of New York during five years, and who shall serve as such one year thereafter, and every person who, on the said first day of January, one thousand eight hundred and forty-eight, shall have served four years, or a less period of time, and who shall serve as such for so long a time thereafter as shall make the whole term of his service six years ; and every person who shall serve as a fireman of the city of New York, after the first day of January, one thousand eight hundred and forty-eight, for the period of five years, shall be, forever after such service, exempted from serving as a juror in any of the courts of this State, and from all militia duty, except in cases where the militia are ordered into actual service.

Repeal.

§ 2. The first section of the act amended is hereby repealed.

70th SESSION.

CHAP. 495.

AN ACT *in relation to Jurors in the city of New York.*

PASSED December 15th, 1847.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

* * * * *

§ 13. No fireman of said city shall be exempted from jury duty, unless he actually performs all the duty of a fireman in his company ; and to entitle him to such exemption, he shall produce a certificate of the foreman or other chief officer of his company, that he is a faithful and acting member thereof.

Provision
for exempt-
ing firemen
from jury du-
ty.

This provision, however, is not to affect those who are exempt from serving as jurors, by reason of having served as firemen for the period required by law.

71st SESSION.

CHAP. 100.

AN ACT *in relation to Firemen in the several cities and villages of the State.*

PASSED March 18, 1848.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Privileges
of firemen.

§ 1. The firemen now or hereafter to be regularly enrolled and recognized by the constituted authorities of the several cities and villages of this State, shall be exempt during the time of their service, and after having served five years, consecutively, shall, forever thereafter, be exempted from service on any jury, and also from serving in the militia, except in cases of invasion or insurrection.

Exempt
from jury.

§ 2. This act shall take effect immediately.

71st SESSION.

CHAP. 188.

AN ACT *to amend an act entitled "An act in relation to firemen in the several cities and villages of this State," passed March 18, 1848.*

PASSED April 5, 1848.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

§ 1. Every person who, on the first day of May next, shall have been a fireman in any of the cities or villages of this State, for the term of four, five, or six years, and who shall serve as such one year thereafter; and every person who, on the first day of May next, shall have been such fireman for a less period of time than four years, and who shall serve as such for so long a time thereafter as shall make the whole term of his service five years; and every person who may become such fireman after the passage of this act, and shall serve as such for five years thereafter, shall, during and forever after such service, be exempted from serving as a juror in any of the courts of this State, and from militia duty, except in cases of insurrection or invasion. ^{Privileges of firemen.}

§ 2. The act entitled "An act in relation to firemen in the several cities and villages of this State," passed March 18, 1848, is hereby repealed. ^{Repeal.}

§ 3. This act shall take effect immediately.

72d SESSION.

CHAP. 84.

AN ACT for the more effectual prevention of fires in the city of New York, and to amend the acts heretofore passed for that purpose.

PASSED March 7, 1849.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Fire limits.

§ 1. The fire limits of the city of New York are hereby extended, so as to embrace all of said city situate to the southward of a line drawn one hundred feet north of Thirty-second street, extending from East to Hudson river.

Buildings
erected to be
fire-proof.

§ 2. All dwelling-houses, stores, store-houses, and all other buildings, which, from and after the passage of this act, shall be built or erected in the said city, that is to say, within all that part of the said city situate to the southward of said line, drawn one hundred feet north of Thirty-second street, shall be made and constructed as hereinafter provided, of stone or brick, or other fire-proof materials, and shall be constructed with party or outside walls.

Party or out-
side walls.

§ 3. The outside and party walls of all dwelling-houses, stores, store-houses, and other buildings hereafter to be erected or built within the fire limits of the said city, as the same are extended by this act, or may hereafter be extended, shall be constructed of stone or brick ; and every

such dwelling-house, store, or store-house, shall have at least two side or end walls (in addition to the front and rear walls), whether such side or end walls be outside or party walls.

§ 4. Every such dwelling-house, store, or store-house, being more than thirty feet in width, shall be erected and built with an additional wall, or partition walls, of stone or brick, not less than eight inches thick, running from front to rear, so that the walls of such dwelling-house, store, or store-house (except the front and rear walls), shall not be distant from each other more than thirty feet, and all such partition walls which shall exceed thirty-five feet in height from the level of the sidewalk to the peak or highest point thereof, shall not be less than twelve inches thick.

Provision
respecting
houses more
than thirty
feet wide.

§ 5. The outside and party walls of all dwelling-houses, stores, store-houses, and other buildings hereafter to be erected or built within the fire limits of the city of New York, as the same are extended as aforesaid, or hereafter may be extended, shall not be less than eight inches thick; and all such walls, which shall exceed thirty-five feet in height, from the level of the sidewalk to the peak or highest point thereof, shall not be less than twelve inches thick.

Thickness
of walls.

§ 6. All discharging or arch-pieces used in the chimneys of any such dwelling-house, store-house, or other building, shall recede from any flue in every such chimney at least four inches; and no such chimney shall be started or built upon the floor or beams of such dwelling-house, store, store-house, or other building; but shall be started at the foundation of such dwelling-house, store, store-house, or other building; and all hearths shall be supported by arches of stone or brick, and no chimney in any dwelling-house, store, or store-house, or other building now erected or here-

Discharg-
ing or arch-
pieces in
chimneys.

after to be erected within the fire limits, as the same are extended by this act, or may hereafter be extended, shall be cut off, to be supported below in any manner whatever.

Wooden
gutters or
cornices.

§ 7. All wooden gutters of any such dwelling-house, store, store-house, or other building, so to be built or erected as aforesaid, shall be firmly secured by irons, which shall not be more than seven and one half feet from each other, and on all such gutters, not exceeding twelve inches in width, the said irons shall be at least two inches in width, and half an inch thick; and on all such gutters, exceeding twelve inches in width, the said irons shall be at least two and a half inches in width and five eighths of an inch thick; and the said irons, except those at the end of the cornice or gutter, shall be fastened to the floor, or roof beams, and the end irons shall be constructed so as to fasten in the side or end walls.

Plate-irons.

§ 8. All plate irons shall be built into the side, end, or party walls; and the iron anchors, used to secure the plate pieces, shall be at least two inches wide, and half an inch thick; the anchors to be used at each end of every such plate piece shall be worked or built into the side, end, or party wall of the building, and the ends of such anchors shall turn down at least four inches.

Scuttle-
frames and
doors.

§ 9. All scuttle-frames and doors on every such dwelling-house, store, store-house, or other building so to be built or erected as aforesaid, shall be made of, or covered with, copper, zinc, tin, or iron, and every window or entrance above the first story, in the rear of every such store, store-house, or other building, used for any purpose other than that of a dwelling, over thirty feet in height, from the level of the sidewalk, shall have shutters and doors thereon, made of iron or copper.

FIRE DEPARTMENT.

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§ 10. The planking or sheathing of the roof of every such dwelling-house, store, store-house, or other building so to be erected or built as aforesaid, shall, in no case, be extended across the party, side, or end walls thereof; and every such dwelling-house, store, store-house, or other building, and the top and side of dormer-windows thereon, shall be looped and covered with slate, tin, iron, copper, or zinc.

Planking
or sheathing
of roofs.

§ 11. All beams and other timbers in the party or other walls of every such dwelling-house, store, store-house, or other building hereafter to be built or erected as aforesaid, shall be separated from the beam or timber entering in the opposite side of the wall, at least four inches (measuring from the nearest points of the beams or timbers), by solid mason-work; and all plate pieces in the front or rear walls thereof shall recede from the outside of the wall at least four inches, and such end, side, party, or partition walls shall be built up and extended at least twelve inches above the plank or roofing, and shall be coping of stone or iron.

Beams or
other tim-
bers.

§ 12. No timber shall be used in front or rear wall of any dwelling-house, store, store-house, or other building so to be built or erected as aforesaid, where stone, brick, or iron is commonly used; each lintel on the side of the front or rear wall shall have a secure brick arch over it, and no bond timber in any wall thereof shall, in width and thickness, exceed the width and thickness of a course of brick; and no bond timbers shall be more than three feet in length; and such bond timbers shall be laid at least eighteen inches apart from each other, longitudinally, on either side of any wall; and the continuous line thereof shall be broken every three feet, by inserting a brick of eight inches; and no front or rear or other wall of any such dwelling-house, store, store-house, or other building now erected or hereafter to be erected, or

Restriction.

STATE LAWS.

built as aforesaid, or as they may hereafter be extended, shall be cut off or altered below, to be supported in any manner, in whole or in part, by wood, but shall be wholly supported by brick, stone, or iron, and no wood or timber shall be used between such wall and such supporters.

Gutters to
be lined with
copper, &c.

§ 13. All wooden gutters of every dwelling-house, store, store-house, or other building hereafter to be erected or built within the fire limits, as extended as aforesaid, or as the same may be hereafter extended, shall be lined and covered, on the upper surface thereof, with copper, zinc, tin, or iron.

New roofing.

§ 14. If any brick front, frame, or wooden dwelling-house already erected within the fire limits, as the same are extended by this act, or may hereafter be extended, shall require new roofing, it shall and may be lawful for the proprietor or proprietors thereof to raise the same for the purpose of making a flat roof thereon; provided that such new roofing shall be made of copper, slate, tin, zinc, or iron; and also, provided that such dwelling-house, when so raised, shall not exceed thirty-five feet in height, from the level of the sidewalk to the peak or highest point thereof.

Steeple,
cupolas, and
spires.

§ 15. All steeples, cupolas, and spires of churches, or other public buildings, may be covered with boards or shingles; and churches and said other public buildings, shall be excepted from the operation of so much of the ninth section of this act as relates to iron and copper shutters.

Public
buildings de-
fined.

§ 16. Public buildings mentioned in preceding sections, are hereby defined to be such buildings as shall be owned and occupied for public purposes by this State, the United

States, the Corporation of the City of New York, or the Public School Society.

§ 17. All privies, not exceeding ten feet square and fifteen in height, and all fire-engine houses, belonging to the Corporation of the said city, and all ferry-houses which shall be erected with the express permission of the said Corporation, may be built and covered with wood, board, or shingles. Privies and ferry-houses.

§ 18. All ash-holes or ash-houses within the said city, shall be built of stone or brick, without the use of wood in any part thereof. Ash-holes and houses.

§ 19. No wooden shed shall be erected or permitted within the fire limits of the said city, as the same are extended as aforesaid, or may hereafter be extended, unless one whole side of the same shall be left entirely and constantly open, in addition to its not exceeding twelve feet in height at the peak, or at the highest part thereof. Sheds.

§ 20. No wooden or frame building whatever, whether the same may have a brick front or otherwise, within the fire limits, as extended as aforesaid, or as the same may hereafter be extended, shall be raised, enlarged, or built upon, or removed from one lot to another within the fire limits of the said city, as the same are extended as aforesaid, or may hereafter be extended; provided, however, that brick front, frame dwelling-houses, and wooden dwelling-houses, only, may be raised under the circumstances and in the manner specially provided for in the fourteenth section of this act. Wooden or frame buildings.

§ 21. Every wooden building, or frame building with a brick front, or otherwise, within the fire limits of the said city, as the same are extended as aforesaid, or may hereafter Provision in case of damage by fire.

be extended, which may hereafter be damaged by fire to an amount not greater than two thirds of the value thereof, exclusive of the foundation, before such fire, may be repaired or rebuilt, pursuant to the provisions of the twenty-second section of this act; but if such damage shall amount to more than two thirds of such value, exclusive of the foundation, then such building shall not be repaired or rebuilt, but shall be taken down and removed.

Amount of
damage to be
determined.

§ 22. The amount or extent of such damage by fire, mentioned in the foregoing section of this act, shall be determined by two disinterested persons residing in the said city, one of whom shall be appointed by the owner or owners of such building, and the other by the Board of Assistant Engineers of the Fire Department of the said city; and in case such two persons disagree, they are to select a third disinterested person, and the decision, in writing, of any two of them, shall be final and conclusive in the premises; and such building shall not be repaired or rebuilt until after the appointment of such persons as aforesaid, nor until after their decision shall be made in writing, as aforesaid, finding that such damage does not exceed two-thirds of the value of such building, as it existed before such fire, exclusive of the foundation.

Altering,
raising, or
enlarging
buildings.

§ 23. No brick or stone dwelling-house, store, store-house, or other building, now erected or hereafter to be erected, within the fire limits, as extended as aforesaid, or as they may hereafter be extended, shall be altered, raised, enlarged, or built upon, in such manner that such dwelling-house, store, store-house, or other building, were it wholly built or constructed after the passage of this act, would be in violation of any of the provisions of this act.

§ 24. The owner or owners of any dwelling-house, store, Penalty for violating the provisions of this act. store-house, or any other building, or of any frame building, with or without a brick front, or of any wooden building, or of any ash-house, ash-hole, or wooden shed, who shall violate any provisions of this act, and every master builder or master carpenter who may be employed or assist therein, shall, for every such violation, respectively forfeit and pay the sum of five hundred dollars; and such owner or owners shall forfeit and pay, in addition thereto, the sum of fifty dollars for every twenty-four hours such violation shall remain, after notice to remove the same shall have been given; such notice may be signed by any of the Trustees or Assistant Engineers of the Fire Department of the City of New York; such notice may be given by leaving the same at the residence or place of business of such owner or owners, or builder or carpenter, or by serving the same personally, or by serving the same in the manner provided for by and in the twenty-ninth section of this act; and such additional penalty shall be computed and recovered up to the time of the trial of any suit for the recovery thereof; and in case such violation shall continue after the trial of such suit, for such continuing additional penalty, computing from the time of such trial, may be recovered in any other suit or suits to be brought by the Fire Department of the City of New York for that purpose.

§ 25. All pecuniary penalties imposed by this act may be Penalties, how to be recovered. sued for and recovered, with costs of suit, in any court of record within this State, by the Fire Department of the City of New York, in their own name and for their own use.

§ 26. Every dwelling-house, store, store-house, ash-hole, Buildings, &c., erected contrary to this act, to be deemed nuisances. ash-house, shed, or other building of any description whatever, herein before mentioned, which shall hereafter be erect-

ed, built, roofed, repaired, altered, enlarged, built upon, or removed, contrary to any of the foregoing provisions of this act, shall be deemed a common nuisance, and the Justices of the Supreme Court, and the Justices of the Court of Oyer and Terminer and General Jail Delivery, and the Justices of the Court of General Sessions of the Peace within said city, shall have cognizance of such offenses; and the court to which an indictment or presentment shall be preferred for such offense, shall be, and hereby is, empowered and enjoined to prosecute such indictment, or cause the same to be prosecuted, in the usual manner of prosecutions, and upon conviction, to adjudge such fines and penalties as they, in their discretion, shall think fit and proper; and also, in their discretion, to cause such nuisances to be abated and removed.

Action,
when com-
menced.

§ 27. All actions for any forfeiture or penalty incurred under this act, shall be commenced within eighteen months next after the time of incurring such forfeiture or penalty.

Duties con-
ferred on the
Assistant En-
gineers by
this act.

§ 28. The duties and powers that were by law conferred upon the Fire Wardens in the City of New York, prior to the passage of an act, entitled "An act for the establishment and regulation of the police of the city of New York," passed May 7, 1844, as well as the duties and powers of Fire Wardens conferred upon the police by the said act, and by the act to amend the same, passed May 13, 1846, are hereby conferred upon the Assistant Engineers of the Fire Department of the City of New York, and upon their successors in office.

They are to
inquire into
violation of
the laws for
the preven-
tion of fires.

§ 29. It shall also be the duty of the said Assistant Engineers respectively, to inquire and examine into any and every violation of any of the provisions of the acts

heretofore passed for the prevention of fires in the city of New York, and of the several acts amending or modifying the same, or in addition thereto, or extending the fire limits in said city, and of this act; and it shall also be the duty of the said Assistant Engineers respectively, to give, or cause to be given, a notice, in writing, signed by at least one of them, to the owner and builder respectively, of any such dwelling-house, store, store-house, building, ash-hole, ash-house, wooden shed, wooden building, or frame building in said city, which shall after the passage of this act, be erected, built, raised, altered, enlarged, or built upon, or removed from one lot to another, or which shall, after the passage of this act, be in the course of erection, building, raising, altering, enlarging, or being built upon, or being removed from one lot to another, in violation of any of the provisions of the acts, or of any of them, mentioned or referred to in this section, or of this act, requiring such cause of violation to be removed within ten days after service of such notice; such service shall be made by leaving such notice with any person of suitable age, at such dwelling-house, store, store-house, building, ash-house, ash-hole, wooden shed, wooden building, or frame building, or by posting the same in a conspicuous place on such dwelling-house, store, store-house, building, ash-hole, ash-house, wooden building, wooden shed, or frame building.

§ 30. If any such cause of violation shall not be removed, within the time limited in such notice, the Supreme Court of the State of New York, and the Court of Common Pleas for the City and County of New York, shall, respectively, in addition to the power of enforcing the penalties as now provided by law, and as provided by this act for such violation, have power and jurisdiction in an

Provision,
if the cause
of such violation
be not
removed.

'action to be brought by said Fire Department, to restrain by injunction the further erection, building, raising, altering, enlarging, or building upon such dwelling-house, store, store-house, building, ash-hole, ash-house, wooden shed, wooden building, or frame building; and also to adjudge and decree that such dwelling-house, store, store-house, building, ash-hole, ash-house, wooden shed, wooden building, or frame building, whether erected, built, raised, altered, enlarged, removed, or built upon, or in the course of erection, building, raising, altering, enlarging, removing; or of being built upon, shall be taken down and removed.

Duty of
sheriff.

§ 31. It shall be the duty of the Sheriff of the city and county of New York to execute such decree, upon receiving a certified copy thereof.

By-laws.

§ 32. The said Assistant Engineers shall have power to make such by-laws for their own government as shall not be contrary to law, or to the ordinances of the Corporation of said city.

Pay of As-
sistant Engi-
neers.

§ 33. The compensation of the said Assistant Engineers shall be fixed by the Common Council of said city, and shall not exceed the sum of five hundred dollars per annum to each Assistant Engineer, and shall be paid by the Comptroller of said city, by warrants, quarterly, and the Board of Supervisors of the City and County of New York shall have power to raise, by tax, a sum necessary to defray such salaries.

Repeal.

§ 34. All laws and parts of laws heretofore passed, inconsistent with the provisions of this act, are hereby declared to be repealed, but such repeal shall not affect any suit or prosecution commenced, or penalty or offense

incurred or committed previous to the first day of June next ; but every such suit or prosecution may lawfully proceed ; and every such penalty or offense be demanded, prosecuted, recovered, or punished, as the same may be, as if the said laws and parts of laws, hereby repealed, had remained in full force.

§ 35. This act shall take effect on the first day of June next ; and the Common Council shall publish this act once a week in every paper employed by them, from thirty days after the passage thereof, until that day. Act to be published.

72d SESSION.

CHAP. 178.

AN ACT further to amend the acts in relation to insurances on property in this State, made by individuals and associations unauthorized by law.*

PASSED March 30, 1849, "three-fifths being present."

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Moneys to
be paid to
Fire* Depart-
ment, N. Y.

§ 1. There shall be paid to the Treasurer of the Fire Department of the City of New York, for the use and benefit of said Fire Department, on the first day of February in each year, by every person who shall act in the city and county of New York, as agent for or on behalf of any individual, or association of individuals, not incorporated by the laws of this State, to effect insurances against losses or injuries by fire in the city and county of New York, although such individuals or association may be incorporated for that purpose by any State or county, the sum of two dollars upon the one hundred dollars, and at that rate upon the amount of all premiums which, during the year, or part of the year, ending on the next preceding first day of September, shall have been received by such agent or

*The above act, although not referring directly to the regulation of the Fire Department, yet appertains to its finances, and is deemed by the compiler to be worthy of insertion here.

person, or received by any other person for him, or shall have been agreed to be paid for any insurance effected or agreed to be effected, or promised by him, as such agent, or otherwise, against loss or injury by fire, in the city and county of New York.

§ 2. No person shall, in the city and county of New York, as agent or otherwise, for any individual, individuals, or association, effect, or agree to effect, any insurance, upon which the duty above mentioned is required to be paid, or as agent or otherwise, procure such insurance to be effected, until he shall have executed and delivered to the said Treasurer, a bond to the Fire Department of the City of New York, in the penal sum of one thousand dollars, with such sureties as the said Treasurer shall approve, with a condition that he will annually render to the said Treasurer, on the first day of February, in each year, a just and true account, verified by his oath, that the same is just and true, of all premiums which, during the year ending on the first day of September preceding such report, shall have been received by him, or by any other person for him, or agreed to be paid for any insurance against loss or injury by fire, in the city and county of New York, which shall have been effected, or promised by him to be effected, from any individual, or individuals, or association, not incorporated by the laws of this State, as aforesaid; and he will annually, on the first day of February in each year, pay to the said treasurer two dollars upon every hundred, and at that rate upon the amount of any premiums.

§ 3. Every person who shall effect, agree to effect, promise, or procure any insurance specified in the preceding sections of this act, without having executed and delivered the bond required by the preceding section, shall,

Insurance
by certain
agents, when
to be effect-
ed.

Penalty for
not execut-
ing bond.

for each offense, forfeit one thousand dollars, for the use of the said Fire Department ; such penalty of one thousand dollars shall be collected in the name of the Fire Department of the City of New York.

Agents to
stat. where
their places
of business
are in New
York.

§ 4. Every person who, at any time hereafter, as agent or otherwise, for any individual, or individuals, or association, may, in the city and county of New York, effect, or agree to effect, any insurance specified in the preceding sections of this act, shall, on the first day of February, in each year, or within ten days thereafter, and as often in each year as he shall alter or change his place of doing business in the said city, report in writing, under his proper signature, to the Comptroller of this State, and also to the Treasurer of the Fire Department in the City of New York, the street and number thereof, in the said city, of his place of doing business as such agent or otherwise, designating in such report the individual or individuals, and association or associations for which he may be such agent or otherwise. And in case of default in any of these particulars, such person shall forfeit, for every offense, the sum of one thousand dollars, to be recovered and collected in the name of the people of this State, for the use of the Fire Department of the City of New York.

Sections 1,
2 and 3 to ap-
ply to every
city and vil-
lage.

§ 5. Sections one, two, and three of this act shall apply to every city or incorporated village in this State, where a treasurer of a Fire Department exists, and where no officer is known by the laws of such city or village, the treasurer of such city or incorporated village shall exercise all the powers and perform all the duties for the purposes of this act, of the Treasurer of the Fire Department of the City of New York, as far as relates to the city or village of which he is the treasurer, and he shall, under the direction of the

Common Council of the city, or the trustees of the village, pay over all moneys received or recovered under the first, second, and third sections of this act, to the Fire Department of such city or incorporated village ; provided, however, that the penalty of the bond required by the second section of this act shall not exceed the sum of two hundred dollars, in any city or village of this State, excepting the city of New York.

§ 6. All the provisions of sections three, four, five, six, ^{Repeal.} seven, of title twenty-one, chapter twenty, of the first part of the Revised Statutes, as amended by the act of the 21st February, 1837, as far as they relate to fire insurance, are hereby repealed.

1837

72d SESSION.

CHAP. 187.

AN ACT to amend the Charter of the City of New York.

PASSED April 2d, 1849.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

* * * * *

Department
of Repairs
and Supplies.

§ 13. There shall be an Executive Department, to be denominated the Department of "Repairs and Supplies," which shall have cognizance of all repairs and supplies of and for roads and avenues, public pavements, repairs to public buildings, to fire-engines and apparatus of Fire Department, and the chief officer thereof shall be called the Commissioner of Repairs and Supplies. There shall be four bureaux or branches in this department, and the chief officers shall be respectively denominated the "Superintendent of Roads," "Superintendent of Repairs to Public Buildings," "Superintendent of Pavements," and "Chief Engineer of the Fire Department." * * *

72d SESSION.

CHAP. 195.

AN ACT to amend "*An act for the more effectual prevention of fires in the city of New York,*" and to amend the acts heretofore passed for that purpose.

PASSED April 4, 1849.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

§ 1. Section four of an act "For the more effectual prevention of fires in the city of New York," and to amend the acts heretofore passed for that purpose, passed March 7th, 1849, is hereby amended, and shall read as follows:

"Every such store or store-house, being more than thirty feet in width, shall be erected and built in such manner that all the floors thereof, throughout their whole extent, shall be supported by and rest upon one or more additional partition wall or walls, built of brick or stone, not less than eight inches thick, or upon iron girders, sustained by proper and sufficient posts or pillars of iron, brick, or stone, and so that through the whole extent of said floors, and each of them, the walls of such store or store-house (except the front and rear walls), and such intermediate support or supports of brick, stone, or iron, shall not be distant from each other more than thirty feet, and all such partition walls, which shall exceed thirty-five feet in height,

Stores and store-houses, how to be built.

from the level of the sidewalk to the peak or highest part thereof, shall not be less than twelve inches thick ; provided, however, that in case said floors, or any of them, shall, throughout their whole extent, be supported upon iron beams or girders of proper size and strength, resting upon the lateral walls of such store or store-house, and distant from each other not more than fifteen feet, then such store or store-house may be so built and erected as that in the story or stories beneath each floor so supported, the lateral walls may be distant from each other, or from any partition wall of brick or stone, or any intermediate support of iron as herein before required, a distance of more than thirty, but not more than forty feet."

§ 2. Section ten of said act is hereby amended, and shall read as follows :

Planking
and sheath-
ing of roofs.

"The planking or sheathing of a roof of every such dwelling, store, store-house, or other building so to be erected or built as aforesaid, shall in no case be extended across the party, side, or ends walls thereof; and every such dwelling-house, store, store-house, or other building, and the top and side of dormer-windows thereon, shall be roofed and covered with slate, tin, iron, copper, zinc, or other fire-proof material or composition, to be approved of by the Chief Engineer of the Fire Department of the City and County of New York, and be equally capable of withstanding the influence of fire."

§ 3. Section fourteen of said act is hereby amended, and shall read as follows :

Roofs of
brick front
or frame
houses, how
made.

"If any brick front, frame dwelling-house, or wooden dwelling-house, already erected within the fire limits, as the same are extended by this act, or may hereafter be ex-

tended, shall require new roofing, it shall and may be lawful for the proprietor or proprietors thereof to raise the same, for the purpose of making a flat roof thereon; provided that such new roofing shall be made of copper, slate, tin, zinc, or iron, or other fire-proof material or composition; the same to be approved by the Chief Engineer of the Fire Department of the City and County of New York, and be equally capable of withstanding the influence of fire; and also, provided that such dwelling-house, when so raised, shall not exceed thirty-five feet in height, from the level of the sidewalk to the peak or highest part thereof.

73d SESSION.

AN ACT to amend an act entitled "An act for the more effectual prevention of fires in the city of New York, and to amend the acts heretofore passed for that purpose," passed March 7th, 1849.

PASSED March 29th, 1850, "three-fifths being present."

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Amending
section 28 of
the act pass-
ed March 7,
1849.

§ 1. Section twenty-eight of the act entitled "An act for the more effectual prevention of fires in the city of New York, and to amend the acts heretofore passed for that purpose," passed March 7, 1849, is hereby amended, and shall read as follows:

Fire Ward-
ens.

The duties and powers that were by law conferred upon the Fire Wardens in the city of New York, prior to the passage of an act entitled "An act for the establishment of the Police of the city of New York," passed May 7th, 1844, as well as the duties and powers of Fire Wardens, conferred upon the police by the said act, and by the act to amend the same, passed May 13, 1846, are hereby conferred and imposed upon the officers to be appointed, as hereinafter in this section mentioned, who shall be known and designated by the name of Fire Wardens of the City of New York.

Number. That such Fire Wardens shall be twelve in number, and

shall be selected from firemen of the city of New York, exempted by law from duty, at the time of such selection, whether then in active duty or not, and shall be appointed by the Common Council, upon the nomination of the Representatives of the Fire Department of the City of New York, by a majority of the votes cast by them for that purpose.

Appointed
by Common
Council, sub-
ject to nomi-
nation by re-
presenta-
tives of De-
partment.

That the said Fire Wardens shall, within ten days after their appointment, be classified into three classes (four in each class), by lot, to be drawn by the President of the said Fire Department, or in case of his absence, by the Vice-President, or by one of the Trustees of the said Fire Department, at a time and place to be notified to said Fire Wardens; and a certificate of such drawing and classification shall be signed by such President, Vice-President, or Trustee, and filed in the office of the Clerk of the City and County of New York. The classes shall be respectively numbered one, two, and three, according to the term of service of each. Class one shall serve one year; class two shall serve two years; class three shall serve three years, and until their successors in office shall be appointed. The first nomination and appointment of twelve Fire Wardens shall be made as soon after the passage of this act as practicable, and thereafter the nomination and appointment in place of those whose term of office shall expire, shall be made annually, on or about the second Tuesday of April, in each succeeding year; the term of office of said Fire Wardens, who shall be first appointed as aforesaid, shall end as follows: class one on the second Tuesday of April, 1851; class two, on the second Tuesday of April, 1852; and class three, on the second Tuesday of April, 1853, and until their successors in office shall be appointed as afore-

Fire Ward-
ens to be
classified,
&c.

Vacancies, how filled. said. All vacancies happening during any term or terms of office, shall be filled, as often as they shall occur, by a like nomination and appointment.

§2. Section twenty-nine of the said act hereby amended, is hereby amended, and shall read as follows :

Duty of Fire Wardens.

It shall also be the duty of the said Fire Wardens respectively, to inquire and examine into any and every violation of any of the provisions of the acts heretofore passed for the prevention of fires in the city of New York, and of the several acts amending or modifying the same, or in addition thereto, or extending the fire limits in said city, and of this act ; and it shall also be the duty of the said Fire Wardens respectively, to give, or cause to be given, a notice, in writing, signed by at least one of them, to the owner and builder respectively, of any such dwelling-house, store, store-house, building, ash-hole, ash-house, wooden shed, wooden building, or frame building in said city, which shall, after the passage of this act, be erected, built, raised, altered, enlarged, built upon, or removed from one lot to another ; or which shall, after the passage of this act, be in the course of erection, building, raising, altering, enlarging, or being built upon, or being removed from one lot to another, in violation of any of the provisions of the acts, or of any of them, mentioned or referred to in this section, or of this act, requiring such cause of violation to be removed within ten days after service of such notice ; such service shall be made by leaving such notice with any person of suitable age, at such dwelling-house, store, store-house, building, ash-house, ash-hole, wooden shed, wooden building, or frame building, or by posting the same in a conspicuous place on such dwelling-house, store, store-house,

building, ash-hole, ash-house, wooden shed, wooden building, or frame building.

It shall also be the duty of the said Fire Wardens respectively, to report to the said Chief Engineer the location of and particular circumstances attending any building constructed, or in the course of construction, deemed unsafe; and also to report, as aforesaid, all cases where goods shall be improperly stored in any building, so as to hazard the lives of firemen, or where such goods shall be too heavily laden in a building, or where any building shall from any cause have become unsafe.

It shall also be the duty of said Fire Wardens, respectively, to attend all fires in the fire districts respectively to which they may be allotted, and to report themselves to the engineer in command, and to wear at such fires the usual fire-cap, with the words "Fire Warden," and the number of such district, conspicuously painted thereon, in white, on a black ground.

That the said Fire Wardens shall report all their proceedings, and such facts and information as they shall acquire in respect to the subject-matter of their duties, to the Common Council of the City of New York, and to the said representatives, annually, on or before the second Tuesday of April, and oftener, if required so to do.

To report
to the Com-
mon Council-
-co., annual,
ly.

That the said Fire Wardens shall be provided by the Common Council of said city with an office, and with necessary fuel and stationery for the same, which office shall be kept open daily (Sundays and holidays excepted) from 8 o'clock, A.M., until five o'clock, P.M. That said Common Council shall, upon the nomination of a majority of said Fire Wardens, appoint a suitable person as clerk to

Office open
daily.

Clerk for
Fire Ward-
-ens.

said Fire Wardens, at a salary not exceeding five hundred dollars per annum, subject to removal at any time by the Common Council, upon the request of a majority of the Fire Wardens, for incapacity or neglect of duty prescribed to him by said Fire Wardens; and upon any such removal, another clerk shall, upon like nomination, be appointed as aforesaid; and it shall be the duty of the said clerk to attend at such office during said office hours.

Removal.

The Common Council, at the request of a majority of the whole number of the representatives of said Fire Department, may remove any of said Fire Wardens from office, for incapacity or neglect of duty.

§ 3. Section thirty-two of said act, hereby amended, is hereby amended, and shall read as follows :

Fire Wardens' by-laws.

The said Fire Wardens shall have power to make such by-laws for their own government as shall not be contrary to law, or to the ordinances of the Corporation of the said city, and as shall be approved of by said representatives.

§ 4. The thirty-third section of said act, hereby amended, is hereby amended, and shall read as follows :

Compensation of Fire Wardens.

The compensation of said Fire Wardens shall be fixed by the Common Council of said city of New York, at the sum of two hundred and fifty dollars per annum to each Fire Warden; and shall, as well as the salary of said clerk, and the rent of said office, and the expense of fuel and stationery, be paid by the Comptroller of said city, by warrants, quarterly; and the Board of Supervisors of the City and County of New York shall have power to raise, by tax, a sum necessary to defray the same.

Assistant Engineers to perform duty

The powers and duties of Assistant Engineers, as provided for in the said act hereby amended, shall continue,

any thing herein contained to the contrary, until the first ^{until Fire} appointment of twelve Fire Wardens shall be made, as ^{Wardens are} ^{appointed.} hereinbefore provided, and no longer, and the salaries of such engineers shall be paid up to that time.

§ 5. The notice mentioned in the twenty-fourth section ^{Notices} of the said act hereby amended, may be signed by any of ^{signed by} ^{Fire Ward-} ^{ens.} the said Wardens, with the same force, validity, and effect, as if the same were signed by any of the trustees of the said Fire Department, as provided for in said last-mentioned section.

§ 6. Nothing in this act contained shall be so construed as to repeal the act passed March 25, 1850, entitled "An act to authorize Alexander T. Stewart to continue and complete his present store in Broadway, in the city of New York."

§ 7. This act shall take effect immediately.

74th SESSION.

CHAP. 62.

AN ACT *to amend an act entitled "An act to extend the charter of the firemen of the city of New York," passed April 16, 1831.*

PASSED March 25, 1851.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Act of
April 16,
1831, amend-
ed.

§ 1. Section two of an act entitled "An act to extend the charter of the city of New York," passed April 16, 1831, is hereby amended, and shall read as follows :

Powers of
Fire Depart-
ment.

The said corporation shall have power to purchase, hold, and convey any estate, real and personal, for the use and objects for which the said corporation was instituted ; but such real or personal estate shall not exceed the sum of one hundred thousand dollars.

Estate not
to exceed
\$100,000.

74th SESSION.

CHAP. 66.

AN ACT to repeal an act entitled, "*An act to amend an act for the more effectual prevention of fires in the city of New York, and to amend the acts heretofore passed for that purpose,*" passed April 4, 1849; and to amend an act entitled "*An act for the more effectual prevention of fires in the city of New York, and to amend the acts heretofore passed for that purpose,*" passed March 7, 1849.

PASSED March 28, 1851.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

§ 1. The act entitled "*An act to amend an act for the more effectual prevention of fires in the city of New York, and to amend the acts heretofore passed for that purpose,*" passed April 4, 1849, is hereby repealed.

§ 2. Section four of "*An act for the more effectual prevention of fires in the city of New York, and to amend the acts heretofore passed for that purpose,*" passed March 7, 1849, is hereby amended, and shall read as follows :

Every such store, or store-house, being more than thirty feet in width, shall be erected and built in such manner that all the floors thereof, throughout their whole extent, shall be supported by, and rest upon one more additional partition wall or walls, built of brick or stone, not less

Mode of
erecting
stores.

than eight inches thick, or upon girders, sustained by proper and sufficient posts or pillars, of iron, brick, or stone, and so that through the whole extent of said floors, and each of them, the walls of such store or store-house (except the front and rear walls), and such intermediate support or supports of brick, stone, or iron, shall not be distant from each other more than thirty feet, and all such partition walls which exceed thirty-five feet in height, from the level of the sidewalk to the peak or highest part thereof, shall not be less than twelve inches thick; provided, however, that in case said floors, or any of them, shall throughout their whole extent, be supported upon iron beams or girders, of proper size and strength, resting upon the lateral walls of such store or store-house, and distant from each other not more than fifteen feet, then such store or store-house may be so built and erected as that in the story or stories beneath such floor so supported, the lateral walls may be distant from each other, or from any partition wall of brick or stone, or any intermediate support of brick, stone, or iron, as hereinbefore required, a distance of more than thirty, but not more than forty feet.

§ 3. Section twenty-four of the said last-mentioned act is hereby amended, and shall read as follows:

Penalties.

The owner or owners of any dwelling-house, store, store-house, or other building, or of any frame building, with or without a brick front, or of any wooden building, or of any ash-house, ash-hole, or wooden shed, whether he or they be the owner or owners of the land in fee, or be the lessee or lessees thereof, or has or have a qualified or contingent interest therein, by virtue of some agreement or contract in writing, or in any other manner, who shall violate any provision of this act, and every builder, carpenter, mason,

roofer, or other person who may be employed or assist therein, shall, for every such violation, respectively forfeit and pay the sum of five hundred dollars ; and such owner or owners shall forfeit and pay, in addition thereto, the sum of fifty dollars for every twenty-four hours such violation shall remain after notice to remove the same shall have been given ; such notice may be signed by any of the trustees of the Fire Wardens of the Fire Department of the City of New York. Such notice may be given by leaving the same at the residence or place of business of such owner or owners, or builder or carpenter, or by serving the same personally, or by serving the same in the manner provided for in the twenty-ninth section of this act, and such additional penalty shall be computed and recovered up to the time of the trial of any suit for the recovery thereof, and in case such violation shall continue after the trial of such suit, such continuing, additional penalty, computing from the time of such trial, may be recovered in any other suit or suits to be brought by the Fire Department of the City of New York for that purpose.

§ 4. Sections ten and fourteen of the said last-mentioned act are hereby revived.

§ 5. This act shall take effect immediately.

74th SESSION.

CHAP. 548.

AN ACT to amend an act entitled an "*An act to amend the Charter of the city of New York,*" passed April 2, 1849.

PASSED July 11, 1851.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

§ 2. Section twenty is hereby amended so as to read as follows:

The heads of Departments, except the Croton Aqueduct Board, shall be elected every three years, by the people. In case of vacancy of any of said heads of Departments, by removal from office or otherwise, the Mayor, by and with the consent of the Board of Aldermen, shall appoint a person to fill the same, until the vacancy shall be filled by the electors at the next charter election. The heads of Departments shall nominate, and by and with the consent of the Board of Aldermen, appoint the heads of bureaux in their several departments, except the Chamberlain of the City of New York, the Receiver of Taxes, and the Chief Engineer of the Fire Department ; but in case the Mayor shall neglect or refuse to nominate the chief officer of a bureau in the Police Department, designated as the Chief of Police, for five days after the commencement of the session of the Common Council, to be holden in August, 1851, it shall be the duty of the Board of Aldermen to appoint such officer

forthwith. And in case the Mayor shall make such nomination, and it shall be rejected by the Board of Aldermen, the Board of Aldermen shall have power at any regular session of the Common Council to appoint such officer; provided that five days of any such session shall elapse without another nomination being made by the Mayor, and that no appointment of such officer shall have been made as heretofore provided. The heads of departments shall nominate, and by and with the consent of the Board of Aldermen, appoint the clerks in their respective offices. The heads of bureaux shall nominate, and with the consent of the Board of Aldermen, appoint all clerks in their respective bureaux. The Mayor shall nominate, and by and with the consent of the Board of Aldermen, appoint the Chamberlain of the City of New York, the chief officers of the Croton Aqueduct Department, and the Receiver of Taxes. The Chief of Fire Department shall be elected in the same manner as is now or may hereafter be prescribed by law. The number of officers and clerks in the several departments shall be prescribed by the Common Council; the term of all charter offices not prescribed by the law of the State, shall be fixed by the Common Council.

75th SESSION.

CHAP. 332.

AN ACT *to provide for a speedy investigation into the origin of fires in the city of New York.*

PASSED April 16, 1852.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Powers of
Chief of Po-
lice.

§ 1. The Chief of Police of the City of New York is hereby authorized and required to make an investigation into the origin of every fire occurring in said city, and for that purpose he is hereby invested with the same powers and jurisdiction as are now possessed by the Police Justices of said city.

§ 2. This act shall take effect immediately.

70th SESSION.

CHAP. 228.

AN ACT in relation to the Police Department of the City and County of New York.

PASSED April 13, 1853.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

ARTICLE I.

* * * * *

§ 11. At any alarm of fire, it shall be the duty of the captains of police, nearest the scene of conflagration forthwith to proceed to the same, with the reserve corps of their command, to be diligent in preserving order and protecting property. In case of riot, or any sudden emergency requiring the service of the police, the captains of police shall forthwith proceed to the scene of riot, with the whole police force off duty, or any part thereof, and be vigilant in suppressing the same.

* * * * *

Duty in time of fire.

ARTICLE II.

§ 3. He (the Chief of Police) shall repair to the scene of fire, and with the assistance of the police force use every exertion to save and protect property, and remove or cause to be removed, all idle and suspicious persons from the vicinity of the fire.

To repair to fires.

ARTICLE IV.

§ 6. No person connected with the Police Department shall be liable to military, fire, or jury duty.

Exemption from military, fire, and jury.

76th SESSION.

CHAP. 542.

AN ACT to amend an act entitled, "*An act to amend an act entitled, An act for the more effectual prevention of fires in the city of New York, and to amend the acts heretofore passed for that purpose,*" passed March 7, 1849; passed March 29, 1850.

PASSED July 18, 1853, "three-fifths being present."

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Act of
March 29,
1850, amend-
ed.

§ 1. Section fourth of the act entitled, "*An act to amend an act entitled, An act for the more effectual prevention of fires in the city of New York, and to amend the acts heretofore passed for that purpose,*" passed March 7, 1849; passed March 29, 1850, is hereby amended, and shall read as follows:

Compensa-
tion of Fire
Wardens.

The compensation of said Fire Wardens shall be fixed by the Common Council of said city of New York, at a sum not exceeding five hundred dollars per annum to each Fire Warden, and shall, as well as the salary of said clerk, and the rent of said office, and the expense of fuel and stationery, be paid by the Comptroller of said city, by warrants, quarterly; and the Board of Supervisors of the City and County of New York shall have power to raise, by tax, a sum necessary to defray the same.

How paid.

§ 2. This act shall take effect immediately.

77th SESSION.

CHAP. 156.

AN ACT to amend the charter of the Fire Department of the city of New York.

PASSED April 5, 1854.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

§ 1. No person, nor his family, shall be entitled to relief from the funds of the Fire Department of the City of New York, who shall belong to a Fire Department whose members shall receive, or shall be entitled to receive, pay for their services as firemen, from the Corporation of the City of New York, or otherwise; provided, however, that this act shall not be held to deprive any person of the right to such relief who now is, or shall hereafter be entitled thereto, by virtue of services rendered in the present or any other unpaid Fire Department.

No person entitled to relief from funds of Fire Department, who shall receive aid from Corporation as firemen.

78th SESSION.

AN ACT *for the better regulation of the Firemen in the city of New York.*

PASSED March 29, 1855.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Commissioners.

§ 1. There shall be elected by the representatives of the New York Fire Department, five Commissioners, at the time and in the manner hereinafter provided, to be denominated, "The Commissioners of the New York Fire Department."

Election.

§ 2. The said Commissioners shall be elected on the second Tuesday in May, at such place and hour as the said representatives shall designate ; and a majority of the votes cast shall be requisite to a choice.

First election, and term of office.

§ 3. The first election for Commissioners, under this act, shall take place on the second Tuesday in May next ; and within ten days after such election the persons so elected shall, in the presence of the President of the New York Fire Department, draw for the term of their respective offices, say, one for the term of five years ; one for the term of four years ; one for the term of three years ; one for the term of two years ; and one for the term of one year ; and, annually thereafter, there shall be elected one Commissioner, to hold his office for the term of five years.

§ 4. In case of a vacancy in the office of either or all of ^{Vacancies.} the said Commissioners, either by death, removal, or resignation, the said representatives shall proceed, within thirty days thereafter, to fill said vacancy or vacancies; and the person or persons so elected shall hold their office only for the balance of the unexpired term.

§ 5. In case of the refusal or neglect of either or all of ^{Neglect of duty.} the said Commissioners to perform any of the duties imposed upon them by this act, the Common Council of the City of New York shall have power to remove said Commissioner or Commissioners; such removal to take place upon the petition of the said representatives therefor.

§ 6. No person shall be eligible as such Commissioner, ^{Eligibility} unless he shall be, at the time of such election, an exempt fireman, and shall have ceased to be a member of the New York Fire Department, for at least three years prior to said election.

§ 7. It shall be the duty of the President and Secretary of the New York Fire Department, to certify to the Common Council the names of the persons so elected ^{Names of Commissioners to be certified to Common Council.} Commissioners.

§ 8. The said Commissioners shall nominate, and the ^{Clerk.} Common Council shall appoint, a clerk, at a salary not exceeding five hundred dollars a year; and the Commissioners and clerk shall take an oath to well and faithfully perform their office.

§ 9. It shall be the duty of the said Commissioners to inquire into all applications for the organization of volunteer fire companies; and the result of such inquiry, whether in favor of or against said application, shall be certified by them, through the Chief Engineer, to the Common Council, ^{Volunteer companies.}

for confirmation. No volunteer fire companies shall be organized, unless approved by said Commissioners, save as provided for hereafter in section twelve.

Applicants
and expelled
persons.

§ 10. It shall be the duty of the Chief Engineer of the Fire Department, to present to said Commissioners the names of all persons applying to be volunteer firemen, and of all persons expelled or resigned from the Department ; and, on the same being duly investigated and determined by them, they shall certify the result of action to the Chief Engineer, who shall thereupon return the same to the Common Council for their approval.

Jurisdiction
of Commis-
sioners.

§ 11. The said Commissioners shall have cognizance of all complaints against volunteer firemen, for riotous or disorderly conduct at fires, or alarms of fire ; or for violation of any of the State or city laws respecting the firemen of the city of New York ; they shall diligently inquire into the same, and if the parties so charged shall be proved guilty, the said Commissioners are hereby empowered to suspend or remove such firemen, subject to the approval of the Common Council.

Disagree-
ment, how
settled.

§ 12. Should any disagreement arise between the Common Council and the said Commissioners, in regard to any decision of the latter, under the ninth, tenth, and eleventh sections of this act, the same shall be referred back to the Commissioners for reconsideration ; and should the said Commissioners refuse to recede therefrom, or reconsider the same, then their action shall be final ; unless the Common Council, by a vote of three fourths of all the members elected to each board, shall, within thirty days after said action shall have been certified to them, overrule such decision.

§ 13. The said Commissioners may make such rules and ^{By laws.} regulations as may be necessary for the performance of their duties, not inconsistent with the laws of the city or State of New York, or of the United States.

§ 14. The Chairman of said Commissioners may admin- ^{Witnesses.} ister oaths and affirmations to witnesses appearing before them, and may require such witnesses to testify in respect to any matters pending before the Commissioners; and should such witness or witnesses, after being duly notified, refuse to attend, the Commissioners may apply to one of the justices of the Supreme Court; and, upon proper proof being made of the service of notice, the said justice shall issue an attachment, compelling the attendance of such witness or witnesses.

§ 15. False swearing before said Commissioners shall be ^{Perjury.} deemed perjury, and punishable as such.

§ 16. The Common Council shall, in addition to the fire- ^{Badges.} cap now in use, design a badge, one of which shall be worn by every fireman when on duty as such, and by such exempt firemen as the Board of Commissioners may give permission to in writing; and they shall pass such ordinances as may be requisite, to prevent the approach of persons other than firemen or policemen to the vicinity of fires.

§ 17. Any person who shall falsely represent any of the ^{Deceptions and false alarms.} members of the Fire Department of the City of New York, or who shall maliciously, with intent to deceive, use or imitate any of the signs, fire-caps, badges, signals, or devices, adopted or used by the Fire Department, shall be deemed guilty of a misdemeanor, and shall be subject to a fine of not less than twenty-five dollars, or more than two hundred and fifty dollars, and by imprisonment for a term not less

than ten days, or more than three months; and all fines so collected, to be paid over to the Trustees of the New York Fire Department Fund.

Volunteers. § 18. The term " Volunteer Fireman," shall be understood as applying to all persons who now are, or who may hereafter become members of the Fire Department of the City of New York, as at present organized, under the laws of the State and of said city.

Repeal. § 19. All laws, or parts of laws, now existing, the provisions of which are inconsistent with all or any of the provisions of this act, are hereby repealed.

§ 20. This act shall take effect on the second Tuesday in May next.

78th SESSION.

CHAP. 143.

AN ACT to amend an act entitled "*An act to amend an act entitled, An act to extend the charter of the firemen of the city of New York,*" passed April sixteenth, one thousand eight hundred and fifty-one.

PASSED April 3, 1855.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

§ 1. Section one of an act entitled "An act to amend an act entitled, An act to extend the charter of the firemen of the city of New York," passed April sixteenth, one thousand eight hundred and thirty-one, passed March twenty-fifth, one thousand eight hundred and fifty-one, is hereby amended, and shall read as follows :

The said corporation shall have power to purchase, hold, and convey any estate, real or personal, for the use and objects for which the said corporation was instituted ; but such real and personal estate shall not exceed the sum of one hundred and fifty thousand dollars.

§ 2. This act shall take effect immediately.

Act as to
charter of
Fire Department
amended.

Power to
hold, &c.,
real estate.

79th SESSION.

AN ACT *further to amend an act entitled "An act to amend an act for the more effectual prevention of fires in the city of New York," passed March 7th, 1849, passed March 29th, 1850.*

PASSED February 19th, 1856, "three-fifths being present."

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

§ 1. The fifth subdivision of section two of the act further to amend an act entitled "An act to amend an act for the more effectual prevention of fires in the city of New York," is hereby amended so as to read as follows:

That the said Fire Wardens shall be provided by the Common Council of said city with an office, and with necessary fuel and stationery for the same ; which office shall be kept open daily (Sundays and holidays excepted) from eight o'clock A.M., until five o'clock P.M. That said Common Council shall, upon the nomination of a majority of said Fire Wardens, appoint a suitable person as clerk to said Fire Wardens, at a salary not exceeding eight hundred dollars per annum, subject to removal at any time by the Common Council, upon the request of a majority of the Fire Wardens, for incapacity or neglect of duty prescribed by said Fire Wardens ; and upon any such removal, another clerk shall, upon like nomination, be appointed as aforesaid, and it shall be the duty of said clerk to attend at such office during said office hours.

§ 2. This act shall take effect immediately.

78th SESSION.

AN ACT to amend an act entitled "*An act for the better regulation of the Firemen in the City of New York,*" passed March 29, 1855.

PASSED March 10, 1856.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

§1. Section eight, of the act entitled "*An act for the better regulation of the firemen in the city of New York,*" is hereby amended, to read as follows :

The Commissioners shall nominate, and the Common Council shall appoint a clerk, at a salary not exceeding eight hundred dollars a year; and the Commissioners and clerk shall take an oath, to well and faithfully perform the duties of their office.

Clerk appointed and salary.

§2. Section twelve of said act is hereby amended, to read as follows :

Whenever the said Commissioners shall have certified to the Common Council any decision made by them under the ninth, tenth, and eleventh sections of this act, it shall be the duty of the Common Council, within sixty days thereafter, either to confirm such decision, or refer the same back to the Commissioners for revision; and in case the Common Council shall fail either to confirm or refer back such decision of the Commissioners, within sixty days, as

Duty of Common Council.

above specified, the said decision of the Commissioners shall be deemed final, and without appeal; and if the Common Council shall refer back any such decision to the Commissioners, and the Commissioners shall refuse to recede therefrom, or reconsider the same, the decision of said Commissioners shall be final, unless the Common Council, within thirty days after said refusal shall have been certified to them, shall, by a vote of three-fourths of all the members elected to each Board, overrule such decision.

§3. This act shall take effect immediately.

79th SESSION.

AN ACT to provide against unsafe buildings in the city of
New York.

PASSED April 14, 1856.

*The People of the State of New York, represented in Senate
and Assembly, do enact as follows:*

§ 1. All dwelling-houses, stores, store-houses, and all other buildings hereafter to be erected or built in the city of New York, to the southward of a line drawn one hundred feet north of Forty-second street in said city, and extending from the East to the Hudson river, shall have front and rear walls, and side walls on both sides, whether such side walls be outside or party walls; and all outside and party walls of every such dwelling-house, store, store-house, or other building, shall be constructed of stone, brick, or iron, and shall be started and built upon foundations of stone or brick.

Line drawn in regard to brick buildings.

§ 2. Every such store or store-house, or other building other than a dwelling, being more than thirty feet in width, shall be erected and built with a partition wall, or with partition walls, of stone or brick, not less than twelve inches thick, running from front to rear, or with proper and sufficient girders, not less than ten by twelve inches square, running from front to rear, sustained by proper and sufficient posts or pillars of stone, brick, or iron, or of oak, locust, or yellow pine, so that the side and partition walls of such

Specifications for building.

store or store-house, or other building other than a dwelling, and such intermediate posts or pillars, shall not be distant from each other more than thirty feet; and said posts or pillars shall be placed at intervals, from front to rear, of not more than ten feet, and if made of oak, locust, or yellow pine, shall not be less than seven inches in diameter at any part thereof; provided, however, that any such store or store-house, or other building other than a dwelling, may be erected and built so that the side and partition walls thereof, and such intermediate posts and pillars may be distant from each other more than thirty feet, but not more than forty feet; if said store or store-house be through-out constructed with iron beams, or girders, of proper size and strength, resting upon the said walls, and distant from each other not more than fifteen feet.

Walls,
girders,
posts,
pillars. and § 3. Every partition wall in any such dwelling-house, store, store-house, or other building, shall be started and built upon a foundation of stone or brick. And every post and pillar which shall support any other post or pillar, or any beam or girder, shall rest upon a wall of stone or brick, of not less than twelve inches thick, or upon a proper and sufficient post or pillar of oak, locust, or yellow pine, not less than seven inches in diameter, at any part thereof. And every such wall which shall form the support of any post or pillar, shall be started and built upon a foundation of stone or brick; and the post or pillar, which shall be lowest in the series, shall rest upon a foundation of stone or brick.

Bound stones
in piers. § 4. In every such dwelling-house, store, store-house, or other building, every cellar, pier, column, post, and pillar, built of rubble stone or brick, shall, at intervals of not more than three feet, have built into it a stone not less

than three inches thick, and of a diameter each way equal to the diameter of the pier, column, post, or pillar.

§ 5. Every temporary support placed under any wall, girder, or beam during the erection, finishing, alteration, or repairing of any such dwelling-house, store, store-house, or other building, shall be equal in strength to the permanent supports required for such wall, girder, or beam, by this act. And until the roof is on, the walls of every such dwelling-house, store, or store-house, and other building, shall be strongly braced from the beams of each story, at intervals of not more than ten feet.

§ 6. The outside walls of all such dwelling-houses, stores, store-houses, and other buildings, shall not be less than eight inches thick; and all such outside walls as shall exceed thirty-five feet in height from the level of the sidewalk to the peak or highest point thereof, and all party walls, shall be not less than twelve inches thick. And all walls, whether outside, party, or partition walls, of any such dwelling-house, store, or store-house, or other building other than a dwelling-house, which shall exceed fifty feet in height from the level of the sidewalk to the peak or highest point thereof, shall not be less than sixteen inches thick to the under side of the second tier of beams above the level of the sidewalk; provided said under side of said second tier of beams be not less than twenty feet from the level of the sidewalk; but should the under side of said second tier of beams be less than twenty feet from the level of the said sidewalk, said walls shall be sixteen inches thick to the under side of the third tier of beams above the said level. No wall, after it has been built, shall be increased in thickness so as to be considered under any provision of this act of any greater thickness than it was

Temporary
supports.

Height of
buildings and
thickness of
walls.

originally, and every such wall shall be built with headers every five courses.

Mortar.

§ 7. The mortar used in the construction of any such dwelling-house, store, store-house, or other building, shall be composed of lime and sand in the following proportions: mortar used for brick-work, of one part of lime to three parts of sand, and mortar used for stone-work, one part lime and four parts sand. No inferior lime shall be used, and all sand shall be clear, sharp grit, free from loam. Nothing shall be so construed in this law as to prevent the use of cement.

Flues and chimneys.

§ 8. In no such dwelling-house, store, store-house, or other building, shall any wood or wood-work be placed within eight inches of any flue, and no chimney shall be started or built upon any floor or beam, and in no case where the breast of a chimney shall project more than four inches, shall it be commenced in any wall, but shall be started from the foundation, and all flues, without reference to the purpose for which they may be used, to have the joints struck smooth on the inside. All hearths shall be supported by arches of stone or brick, and no chimney shall be entirely cut off in whole or part, to be supported below in any manner whatever.

Gutters and cornices to be anchored.

§ 9. All wooden gutters and cornices of any such dwelling-house, store, store-house, or other building so to be built or erected as aforesaid, shall be firmly secured by irons, which shall not be more than seven and one half feet apart from each other; and in all such gutters not exceeding twelve inches in width, the said irons shall be at least two inches in width, and half an inch thick; and in such gutters, exceeding twelve inches in width, the said irons shall be

at least two and a half inches in width, and five-eighths of an inch thick ; and the said irons, except those at the end of the cornice or gutter, shall be fastened or secured to the floor or roof beams, and the end irons shall be constructed so as to fasten, and shall be fastened in the side or end walls. All bracket cornices of wood, whether used for a gutter or not, shall be made so as to have the brackets built into the wall, and shall be well fastened to wall strips placed in the walls for that purpose. In all cases the wall shall be continued to the planking of the roof ; and when the cornices project above the roof, the wall shall be carried up to the same height with the cornice ; and in no case shall any wooden bracket cornice be extended across two or more buildings, but the same shall return against the front of the building on which it is placed. In every case the greatest weight of stone or iron, of which the cornice shall be constructed, shall be in the inside of the outer line of the wall in which the cornice shall rest.

§ 10. The walls of every such dwelling-house, store, or store-house, and other building, shall be securely anchored, with iron anchors, to each tier of beams, also in side walls, to secure the front walls to side walls, at intervals of not more than eight feet ; all plate irons shall be built into the side, end, or party-walls, and the iron anchors used to secure plate-pieces, shall be at least two inches wide, and half an inch thick ; the anchors to be used at each end of every such plate-piece, shall be worked or built into the side, end, or party-wall of the building, and the end of such anchors shall turn down at least four inches.

§ 11. All scuttle-frames and doors in every such dwelling-house, store, store-house, or other building so built as aforesaid, shall be made of, or covered with copper, zinc,

tin, or iron; and every window and entrance above the first story, in the rear, and on the side of every such store, store-house, or other building, over thirty-five feet in height from the level of the sidewalk, used for any purpose other than that of a dwelling, shall have shutters or doors thereon, and made of iron or copper; and all iron or copper shutters and doors above the first story, on the front of every such store, store-house, or other building, shall be so constructed that they can be opened from the outside, and every building shall have scuttles and ladders on the inside.

Planking
and sheath-
ing roofs.

§ 12. The planking and sheathing of the roof of every such dwelling-house, store, store-house, or other building, so to be erected or built as aforesaid, shall in no case be extended across the party, side, or end walls thereof; and every such dwelling-house, store, store-house, or other building, and the top and sides of dormer windows thereon, shall be roofed and covered with slate, tin, iron, copper, or zinc.

Beams and
timbers.

§ 13. All beams and other timbers in the party or other walls of every such dwelling-house, store, store-house, or other building hereafter to be erected or built as aforesaid, shall be separated from the beam or timber entering in the opposite side of the wall, at least four inches (measuring from the nearest points of the beams or timbers), by solid mason work; and all plate-pieces in the front or rear walls thereof, shall recede from the outside of the wall at least four inches, and the side and party-walls in all cases, and the rear walls, when no gutter is required, shall be built up and extended at least twelve inches above the plank or roofing, and shall be covered with coping of stone or iron. No timber shall be supported upon any wood partition, but

every timber shall rest at each end, not less than four inches in the wall, or on a girder authorized by the second section of this act; and every trimmer or header used in any such store, or store-house, or building other than a dwelling, shall be hung in stirrup-irons of suitable thickness for the size of the timbers.

§ 14. All openings for doors and windows, in such store, store-house, or other buildings, other than a dwelling-house, except as otherwise provided, shall have each a lintel stone or iron, as follows: for an opening not more than six feet in breadth, the lintel shall be twelve inches in height, and of a thickness equal to half the thickness of the wall on which it rests; for an opening exceeding six feet in breadth, the lintel shall increase in height, over and above the twelve inches before provided, one inch for every additional foot in the breadth of the opening. And whatever the width of the opening, there shall be on the inside of the lintel, a brick arch of not less than eight inches in thickness. And all cast-iron arched lintels that shall be used in any wall of such dwelling-house, store, or store-house, or other building, shall have a bearing on the walls, each side of the opening, of twenty-four inches in length, and of the whole thickness of the wall to be supported; and the lintel itself shall be throughout of a thickness not less than the thickness of the wall to be supported, and shall be made in the best manner, and free from every defect. Every lintel, in every such dwelling-house, store, or store-house, or other building, shall have a secure brick arch turned over it.

§ 15. No timber shall be used in any wall of any such dwelling-house, store, store-house, or other building so to be built or erected as aforesaid, where stone, brick, or iron

is commonly used; no bond timber in any such wall shall, in width and thickness, exceed the width and thickness of a course of brick, and no bond timber shall be more than three feet in length; and such bond timbers shall be laid at least eighteen inches apart from each other, longitudinally on either side of any wall, and the continuous line thereof shall be broken every three feet, by inserting a brick of eight inches; and no front or rear, or other wall of any such dwelling-house, store, store-house, or other building now erected, or hereafter to be built or erected in said city, southward of the line in the first section of this act mentioned, shall be cut off or altered below, to be supported in any manner, in whole or in part, by wood, but shall be wholly supported by brick, stone, or iron; and no wood or timber shall be used between such wall and such supporters.

Gutters to
be lined.

§ 16. All wooden gutters of every such dwelling-house, store, store-house, or other building, shall be lined or covered on the upper surface thereof, with copper, zinc, tin, or iron.

Raising
frame dwell-
ing-houses.

§ 17. If any brick front, frame, or wooden dwelling-house, already erected in said city, to the southward of said line, shall require new roofing, it shall and may be lawful for the proprietor or proprietors thereof to raise the same for the purpose of making a flat roof thereon; provided, that such new roof shall be made of copper, slate, tin, zinc, or iron; and also provided, that such dwelling-house, when so raised, shall not, at the highest point thereof, exceed the height of the peak of said house before the alteration, and shall not exceed thirty-five feet in height.

§ 18. Public buildings, mentioned in preceding sections, ^{Public buildings.} are hereby defined to be such buildings as shall be owned and occupied for public purposes by this State, the United States, or the Corporation of the City of New York.

§ 19. All privies, not exceeding ten feet square and fifteen ^{Privies and ferry-houses.} feet in height, and all ferry-houses which shall be erected with the express permission of the said Corporation, may be built and covered with wood, boards, or shingles; and all such ferry-houses so erected, shall not be used for any other purpose than a ferry-house.

§ 20. All ash-holes or ash-houses within the said city, ^{Ash-houses.} shall be built of stone or brick, without the use of wood in any part thereof.

§ 21. No wooden shed shall be erected or permitted, to ^{Sheds, piazzas, &c.} the southward of said line, which shall exceed twelve feet in height from the level on which it is placed, to the peak or highest part thereof, nor unless one whole side of the same shall be left entirely and constantly open. Nothing in this section or in this act shall be held or construed to prohibit the erection of any inclosed piazza, platform, or balcony, if not to exceed eight feet in width, on a level with the first floor of any such dwelling-house to which the same shall be attached; nor the erection of any bay-window on a level with the first floor as aforesaid; provided that no piazza, platform, balcony, or bay-window shall extend above the second floor of any such dwelling-house; and provided that such piazza, platform, or balcony have end walls built of brick, stone, or other fire-proof material. Nothing in this section, or in this act, shall be construed to prohibit the erection of a bay-window not exceeding two stories in height.

Wooden or
frame build-
ings.

§ 22. No wooden or frame building whatever in said city, situated to the southward of said line, whether the same may have a brick front or otherwise, shall be altered, raised, enlarged, or built upon, or removed from one lot to another, southward of said line, provided, however, that brick front frame dwelling-houses and wooden dwelling-houses only, may be raised under the circumstances and in the manner specially provided in the seventeenth section of this act.

Frame
buildings
may be re-
paired.

§ 23. Every wooden building or frame building with a brick, or with any other front, situate in said city, to the southward of said line, which may hereafter be damaged by fire to an amount not greater than two thirds of the value thereof, exclusive of the foundation, may be repaired or rebuilt ; but if such damage shall amount to more than two-thirds of such value, exclusive of the foundation, then such building shall not be repaired or rebuilt, but shall be taken down or removed.

Owners of
buildings and
Fire Ward-
ens to agree.

§ 24. The amount or extent of such damage by fire, mentioned in the last preceding section of this act, shall be determined by two disinterested persons residing in the said city, one of whom shall be appointed by the owner or owners of said building, and the other by the Board of Fire Wardens of the Fire Department of the said city ; and in case two such persons disagree, they are to select a third disinterested person, and the decision in writing, of any two of them, shall be final and conclusive in the premises ; and such building shall not be repaired or rebuilt until after the appointment of such persons as aforesaid, nor until after their decision shall be made in writing, as aforesaid, finding that such damage does not exceed two thirds of the value of such building, as it existed before such fire, exclusive of the foundation.

§ 25. No brick or stone dwelling-house, store, store-house, or other building, now erected, or hereafter to be erected, to the southward of said line, shall be altered, raised, enlarged, or built upon, in such manner that such dwelling-house, store, store-house, or other building, were it wholly built or constructed after the passage of this act, would be in violation of any of the provisions of this act.

Alteration
to buildings.

§ 26. The sections and provisions of this act shall be applicable to every brick dwelling-house, store, store-house, or other brick building hereafter to be erected or built in any part of the city and county of New York.

Application
of this act.

§ 27. The owner or owners of any dwelling-house, store, store-house, or other building, or of any frame building, with or without a brick front, or of any wooden building, or of any ash-house, ash-hole, or wooden shed, whether he or they be the owner or owners of the land in fee, or be the lessee or lessees thereof, or has or have a qualified or contingent interest therein, by virtue of some agreement or contract in writing, or in any other manner, who shall violate any provision of this act, and every master-builder, master-carpenter, master-mason, or master-roofer who may be employed or assist therein, shall, for every such violation, respectively forfeit and pay the sum of one hundred dollars, after notice to remove the same shall have been given. Such notice may be signed by any trustee of the Fire Department, or by any of the Fire Wardens of the City of New York, and may be served by any person upon the builder or his foreman. Such notice may be given by serving the same personally on such owner or owners, or any one of them, and the penalties imposed may be recovered in any other suit or suits to be brought by the Fire Department of the City of New York, for that purpose.

Penalties
for
violations.

Recovery
of penalties
imposed.

§ 28. All pecuniary penalties imposed by this act may be sued for and recovered, with cost of suit, in any Court of Record within the city of New York, by the Fire Department of the City of New York, in their own name, and for their own use.

Courts for
action to be
had in.

§ 29. The Supreme Court of the State of New York, and the Court of Common Pleas for the City and County of New York, and the Superior Court, shall respectively have power and jurisdiction in an action to be brought by the said Fire Department, to restrain, by injunction, the erection or alteration of any such dwelling-house, store, store-house, or other building, dangerous to the life of any person; and to adjudge and decree that such dwelling-house, store, store-house, or other building, whether erected or altered, or in course of erection or alteration, shall be taken down and removed.

Time of
forfeiture.

§ 30. All actions for any forfeiture or penalty incurred under this act, shall be commenced within one year next the time of incurring such forfeiture or penalty.

Time for
the service
of notice for
violation.

§ 31. If any cause of violation of any provisions of this act shall not be removed within ten days after service of the notice provided for in the twenty-eighth section of this act, the Supreme Court of the State of New York, and the Court of Common Pleas for the City and County of New York, and the Superior Court, shall respectively, in addition to the power of enforcing the penalties as now provided by law, and as provided by this act, for such violation, have power and jurisdiction, in an action to be brought by the said Fire Department, to restrain, by injunction, the further erection, building, raising, altering, enlarging, or building upon such dwelling-house, store, store-house, building, ash-hole, ash-house, wooden shed,

wooden building, or frame building; and also to adjudge and decree that such dwelling-house, store, store-house, building, ash-hole, ash-house, wooden shed, wooden building, or frame building, whether erected, built, raised, altered, enlarged, removed, or built upon, or in the course of erection, building, raising, altering, enlarging, removing, or of being built upon, shall be taken down and removed.

§ 32. It shall be the duty of the Sheriff of the city and county of New York, to execute any decree provided for in the thirty-second, and in the last preceding section of this act, upon receiving a certified copy thereof. Sheriff to execute.

§ 33. All laws, and parts of laws, heretofore passed, inconsistent with the provisions of this act, are hereby repealed; but such repeal shall not affect any suit or prosecution commenced, or penalty incurred, or offense committed previous to the first day of May next; but every such suit or prosecution may lawfully proceed, and every such penalty be demanded and recovered, and every such offense prosecuted and punished, as if the said laws and parts of laws, hereby repealed, had remained in full force. Laws repealed.

§ 34. This act shall take effect on the first day of June next; and the Common Council of the City of New York shall publish this act once a week in every paper employed by them, from thirty days after the passage thereof, until that day. Act to take effect.

80th SESSION.

AN ACT *in relation to party walls in the city of New York.*

PASSED April 1, 1857.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

increase of
the thickness
of walls.

§ 1. It shall be lawful to increase the thickness of any partition wall, or other wall, between two adjoining buildings, in the city of New York, erected before the passage of the act of fourteenth April, eighteen hundred and fifty-six, in relation to buildings in said city, provided that such additions be properly and securely tied into the original wall by iron fastenings, or slabs of stone, so as to make a firm wall of not less than sixteen inches in thickness; and such wall, when so altered, shall be deemed and taken to be a sixteen-inch wall, in like manner as if originally built of that thickness, any thing in the before-mentioned act to the contrary notwithstanding.

§ 2. If any owner, or part owner, of any wall heretofore erected between two adjoining buildings in the city of New York, shall refuse to give his written consent to the reconstruction thereof, by the entire substitution of a new wall, of the thickness now required by law, in buildings more than fifty feet in height, it shall be lawful to increase the thickness of such wall by additions thereto, to be firmly secured by sufficient and proper iron anchors, or slabs of stone, making together a wall of at least sixteen inches in

thickness: and such wall, so strengthened and increased, shall be deemed and taken to be a sixteen-inch wall, in like manner as if the same had been originally built of that thickness.

§ 3. This act shall take effect immediately.

81st SESSION.

CHAP. 200.

AN ACT *to extend the Charter of the Firemen of the city of New York.*

PASSED April 14th, 1858, "three-fifths being present."

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Corporation continued until the first day of May, 1880.

§ 1. The act entitled, "An act to incorporate the firemen of the city of New York," passed March the twentieth, seventeen hundred and ninety-eight, and all acts and parts of acts relating to the said corporation, and which are now in force, shall be continued in force until the first day of May, eighteen hundred and eighty, unless sooner altered, modified, or repealed by the Legislature.

82d SESSION.

AN ACT to amend an act entitled "*An act to provide against unsafe buildings in the city of New York,*" passed April 14, 1856.

PASSED April 9th, 1859.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

§ 1. Section eleven of the act entitled "*An act to provide against unsafe buildings in the city of New York,*" passed April 14th, 1856, is hereby amended, by adding after the word "iron," first mentioned in said section, and between that word and the word "and," which immediately follows it, the words "or such other equally fire-proof materials as a majority of those insurance companies of the city of New York which are incorporated under the laws of this State, will insure at the same rate of insurance as other articles in said section mentioned." Fire-proof materials for building.

§ 2. Section twelve of said act is hereby amended, by adding at the end thereof the words, "or such other equally fire-proof roofing, as a majority of the insurance companies of the city or New York, which are incorporated under the laws of this State, will insure at the same rate of insurance as other articles in said section mentioned." Fire-proof roofing.

§ 3. Section sixteen of said act is hereby amended, by adding at the end thereof the words, "or such other materials equally fire-proof, as a majority of the insurance

companies of the city of New York, incorporated under the laws of this State, will insure at the same rate of insurance as other articles in said section mentioned."

§ 4. Section seventeen of said act is hereby amended, by adding after the word "iron," in said section, and between that word and the word "and" which immediately follows it, the words "or such other equally fire-proof roofing as a majority of the insurance companies of said city, which are incorporated under the laws of this State, will insure at the same rate of insurance as other articles in said section mentioned.

§ 5. This act shall take effect immediately.

ORDINANCES, RESOLUTIONS, AND ORDERS,

ESTABLISHED BY

THE COMMON COUNCIL.

CITY LAWS.

ON the 9th day of April, 1813, the Legislature passed "An Act to reduce the several laws relating particularly to the city of New York, into one act," as will be found in the Laws of the State of New York, revised and passed at the 36th Session, Chap. LXXXVI, of vol. II, whereon the Common Council based its future action. An authenticated copy of the law was sent for on the 3d of May, and the Comptroller to report a warrant for the payment of the expense attending the same. On the 10th of May a certified copy was laid before the Common Council, and it was ordered that the same be printed, under the direction and revision of the Counsel, and such a number of copies be stricken off as he should judge necessary.

The Common Council, on the 15th November, 1813, recommended a uniformity of fire-caps for firemen and engineers, and submitted a law relative thereto, which was referred to the Counsel to the Corporation for revision. (Vide P. C. C., MSS., vol. 26.) On the 22d of the same month the Counsel reported thereon, and submitted an ordinance, which was passed.* From the proceedings of the Common Council of November 29th, 1813, MSS., p. 324, it appears that the Chief Engineer (Thomas Franklin) proposed an amendment to the law, establishing a uniformity in the caps of firemen, which was agreed to, and the law directed to be amended accordingly. (The Journal of this meeting is defective, and no mention whatever is made as to what the amendment was.)

Fire caps
to be uni-
form.

* Although the compiler made diligent search for this ordinance among the records, no copy of it can be now found.

Report of
Chief Engineer for
1813.

On the 10th day of January, 1814, the Chief Engineer of the Fire Department reported that during the year 1813, the sum of \$1,092 20 had been received and collected from fines, which were applied to the relief of disabled firemen and their families, and for educating about seventy of their children. (Vol. 28, P. C. C., MSS., p. 6.)

On the above date it was

Members
of Common
Council;
staves, &c.,
how con-
structed.

Resolved, That the staves of office to be worn at fires by the members of the Common Council be similarly constructed with those lately made (viz., with a gilded flame at the top), and the members furnished therewith, and that the Justices of the Police and the Superintendent of Repairs be furnished with staves, to be used on like occasions. (Vol. 28, P. C. C., MSS., p. 24.)

Estimated
value of the
Fire Depart-
ment estab-
lishment,
1814.

Thomas Franklin, Chief Engineer, on the 26th December, 1814, presented, in connection with his report as to the state of the Fire Department, the following estimated value of the Fire Department establishment, viz.:

15 brick buildings	\$5,250 00
32 wood "	4,800 00
2 lots of ground (one whole, one part of a lot), cost.	1,600 00
41 engines.....	26,200 00
floating engine and boat	1,400 00
4 old engines, not in use	750 00
13,085 feet of leather hose.....	8,548 00
1,000 fire buckets	1,500 00
4 trucks, 15 ladders, 20 fire-hooks, &c..	1,200 00
signal lanterns, torches, axes, &c.	150 00
drag ropes.....	70 00
Carried forward.....	\$51,468 00

Brought forward.....	\$51,468 00
stoves and pipes	150 00
hose wagon.....	175 00
1 copper pump.....	20 00
20 loads nut wood.....	90 00
<hr/>	
Total.....	\$51,903 00

(Vol. 29 P. C. C., MSS., p. 56.)

On the 20th of February the Counsel presented, agree- Fire not to be used on vessels loaded with hay or straw.
bly to order, an ordinance entitled "A law to prohibit the
use of fire on board of vessels loaded with hay or straw,"
which was read by paragraphs, and passed. (Vol. 29 P.
C. C., MSS., p. 116.)

On the 30th March following, the Counsel also presented Fire limits
a memorial to the Legislature, and bill corresponding there-
with, "Relative to fire limits." (Vol. 29 P. C. C., MSS.,
p. 148.)

It also appears that on the 17th July, of the same year, Powers, &c., of Fire Wardens.
the Counsel presented a law relative to the appointment,
powers, and duties of Fire Wardens, which was passed.
(Vol. 29 P. C. C., MSS., p. 317.)

On the 26th of February, 1816, the following resolution
was approved:

Resolved, That the Attorney of this Board be directed to Amending militia law.
prepare and report an amendment to the militia law of the
State of New York, with a memorial to the Legislature for
the adoption thereof, providing for the exemption of all

Constables
and Marshals
to be organ-
ized into two
companies.

constables and marshals of the city of New York from militia duty ; and further, to report an ordinance providing for the organization of the constables and marshals aforesaid into two companies, over which the first marshal and high constable shall preside, giving to said companies power to pass such by-laws as to them may seem necessary to compel the attendance of members thereof at every alarm of fire, and to answer to their names at the calling of a roll to be made for that purpose. (Vol. 30 P. C. C., MSS., p. 304.)

On the same day was approved the following resolution :

Extend fire
limits.

Resolved, That the Attorney of this Board be instructed to draft and present to the Board a bill and memorial to the Legislature, for the adoption thereof, making provision for extending the limits given in the act of the Legislature of the State of New York, so as to embrace within the provisions of said act the district embraced within a line commencing at the corner of Church and Anthony streets, and running thence through Church street to Walker street, embracing both sides of said street; thence through and along the westwardly side of Walker street to Broadway. (Vol. 30 P. C. C., MSS., p. 305.)

Assistant
Aldermen,
Constables,
Marshals, &c.
to be exempt
from milita-
ry duty.

On both of the last two resolutions the Counsel (D. S. Jones), on the 11th of March following, reported, presenting to the Board (consisting of the entire Common Council, the Mayor, Aldermen, and Assistant Aldermen, as was customary) a memorial to the Legislature, praying that the Assistant Aldermen, the constables and marshals, and the clerks of the police office in the city, may be exempted from military duty, and a corresponding bill ; and also a memorial to the Legislature, praying an extension of the fire limits, with a corresponding bill.

Fire limits
to be extend-
ed.

The report of the Counsel was approved, and the bills directed to be engrossed, authenticated, and forwarded to the Legislature. (Vol. 30 P. C. C., MSS., p. 321.)

The Committee on Fire and Water, on the 25th of March, 1816, reported, directing the Chief Engineer to announce to the Fire Wardens that such a construction of the ordinance for the prevention or hindrance of carpenters, cabinet-makers, coach-makers, and others, dealers in lumber, from storing or seasoning lumber on their premises, is deemed inexpedient.

Ordinance to prohibit Carpenters, &c., from storing lumber on their premises, deemed inexpedient.

Which was approved.

(Vol. 30 P. C. C., MSS., p. 356.)

The above order of the Common Council was repealed on the 9th December, 1816. (Vide vol. 32 P. C. C., MSS., p. 27.)

The above order repealed.

On the 23d December, 1816, the following *recommendation* was approved, viz.:

That the Engineer's Department be augmented to *ten*, instead of *eight*, and that the Chief Engineer call a meeting of the engineers, and for them to nominate (for the approbation of the Corporation) two suitable characters, from amongst the Fire Department, to fill said station. (Vol. 32 P. C. C., MSS., p. 69.)

Number of Engineers to be increased.

The Committee on the Fire Department, on the 27th day of January, 1817, presented a report on the subject of extending the fire limits.

Extension of fire limits.

Which was read and laid on the table.

The same Committee, on the same day, reported on the petition of the representatives of the Fire Department,

Act relative to Representatives, amended.

praying that the act regulating them may be so amended as to include all such as the ordinances of this Board denominate firemen ; and that they may have such fines and penalties as may be collected from persons violating so much of the laws as relates to the more effectual prevention of fires.

Which was adopted.

(Vol. 32 P. C. C., MSS., p. 145.)

A LAW for preventing and extinguishing fires.

Ordained and established by the Mayor, &c., on the 5th day of May, 1817.

Be it ordained by the Mayor, Aldermen, and Commonalty of the city of New York, in Common Council convened :

Fire Department, of whom to consist.

That the Fire Department of the said city shall consist of a Chief Engineer, who shall have an annual salary of eight hundred dollars, payable quarterly, and as many other engineers, fire-wardens, fire-enginemmen, hosemen, and hook and ladder men, as are or may, from time to time, by the said Common Council be duly appointed ; and who shall be respectively distinguished by the several appellations aforesaid.

Chief Engineer, his duties.

§ 2. *And be it further ordained,* That the Chief Engineer shall, in all cases of fire, have the sole and absolute control and command over all the engineers and other persons of the Fire Department ; and it shall be the duty of the said Chief Engineer to direct the other engineers to take proper measures that the several fire-engines be arranged in the most advantageous situations, and be duly worked for the effectually extinguishing of fires. And it shall, moreover, be the duty of the Chief Engineer to examine, twice in

every year, into the condition and number of the fire-engines, fire-buckets, and other fire apparatus, and fire-engine houses belonging to the Corporation, and report the same, once a year, to the Common Council, together with the names of all the members of the Fire Department, and the respective associations to which they belong; which shall be published in the month of January, in every year, by the City Inspector, in the newspapers employed by the Common Council. And whenever any of the said fire-engines or other fire apparatus shall require to be repaired, the Chief Engineer shall cause the same to be well and sufficiently done. And it shall, moreover, be the duty of the Chief Engineer to cause all the private fire-buckets which may remain after any fire is extinguished, to be collected, and conveyed as soon as possible to the City Hall, to be there deposited, in order that the citizens may know where to find them. And it shall, moreover, be the duty of the Chief Engineer to report, in writing, all accidents by fire that may happen in this city, with the causes thereof, as well as can be ascertained, and the number and description of the buildings destroyed or injured, together with the names of the owners and occupants, to the City Inspector, who shall keep a faithful register of the same.

III. *And be it further ordained,* That so many of the freeholders or freemen of the said city as the Common Council thereof may deem proper, shall, from time to time, be appointed in each of the wards of the said city, to be denominated Fire Wardens; each of whom shall be assigned and attached by the Mayor of the said city, to such company of firemen, having charge of a fire-engine, as he shall think proper; and shall report himself to the Chief or other engineer, at every fire. And each Fire Warden shall

Fire Ward-
ens, how ap-
pointed.

have a certificate, under the seal of the Mayoralty, setting forth his appointment as a Fire Warden, and the company of firemen to which he may be attached.

To be divided into companies, and to make rules and regulations.

IV. *And be it further ordained,* That the Fire Wardens of each ward shall form a separate company ; and that each of the said companies shall and may choose, out of their own number, a foreman and clerk, in such manner and at such times as they may think proper ; and each company may make rules regulating the time and manner of conducting their elections, and imposing such fines on the members as, in their judgment, may best secure the performance of the duties of the said Fire Wardens, both at fires, and in visiting the buildings, and in other duties in their several districts ; and disobedience to such rules may be reported, by each company, to the Common Council, and shall subject the Fire Warden, so disobeying, to removal by the Common Council.

Vacancies, how filled.

V. *And be it further ordained,* That whenever a vacancy shall happen in any of the said companies, the company, where the same shall happen, may recommend, through the Chief Engineer, to the Common Council, for approbation, a suitable person to fill such vacancy ; but none other than those who have been firemen for at least five years shall be so recommended.

Fire Wardens subject to the direction of the Engineers.

VI. *And be it further ordained,* That the said Wardens, when attending fires, shall be subject to the direction of the Chief Engineer, and the other Engineers of the Fire Department.

Duty of Wardens.

VII. *And be it further ordained,* That it shall be the duty of the said Fire Wardens, immediately on the alarm of fire, to repair to the place where it may be, and aid and assist in procuring supplies of water to the fire-engines to which

they shall respectively be assigned and attached, and to such other fire-engines as the Chief Engineer or other engineer may direct them to attend. It shall also be the duty of the said Fire Wardens to prevent the hose from being trodden on, and to keep all idle and suspected persons at a proper distance from the fire, and from the vicinity, and the citizens are hereby enjoined to comply with the orders and directions of the said Fire Wardens in the premises.

VIII. *And be it further ordained*, That each of the said companies shall divide their ward into districts, and that the foreman of the company shall attach one or more of the members of the said company to each of the said districts, for the purpose of making the visitation and examination directed in the next following section; and the said foreman shall report to the Chief Engineer, in the month of December, annually, the name, residence, and occupation of each of the wardens of his company.

IX. *And be it further ordained*, That it shall be the duty of the said Fire Wardens, twice in every year, namely, in the months of June and December, and as much oftener as they may think proper, to examine the dwelling-houses and other buildings in their respective wards, to see that they are properly furnished with fire-buckets, in conformity with this law; and also to examine the fire-places, hearths, chimneys, stoves, and pipes thereto, ovens, boilers, kettles, or apparatus which, in their opinion, may be dangerous in causing or promoting fires, and the places where ashes may be deposited; and, upon finding any of them defective or dangerous, they, or either of them, shall direct, in writing, the owner or occupant to alter, remove, or amend the same, in such manner, and within such reasonable time as they, or either of them, may judge proper; and

Wards to
be divided
into inspection
districts.

Wardens to
examine
houses, &c.,
and to give
directions,
&c.

in case of neglect or refusal so to do, the party offending shall forfeit and pay the sum of twenty-five dollars, and for every day after the time allotted as aforesaid to alter, remove, or amend the same, in conformity with the directions aforesaid, the party so offending shall forfeit and pay the further sum of five dollars. And all the expenses of any removal, alteration, or amendment, as aforesaid, shall be paid, in the first instance by the occupant, but shall be chargeable against the owner of such dwelling-house or other building, and shall be deducted from the rent of the same, unless such expense be rendered necessary by the act or default of such occupant, or unless there be a special agreement to the contrary between the parties. And it shall, moreover, be the duty of the Fire Wardens, or either of them, at such time as aforesaid, to enter into, and examine all buildings, livery and other stables, hay boats or vessels, and places where any gunpowder, hemp, flax, tow, hay, rushes, fire-wood, boards, shingles, shavings, or other combustible materials may be lodged, and give such directions, in writing, in the premises, as may be deemed proper by them or him, relative to the removal thereof; and in case of neglect or refusal on the part of the possessor of such combustible materials, or any of them, to remove or secure the same within the time and in the manner directed by the said Fire Wardens, or either of them, the party offending shall forfeit and pay the sum of twenty-five dollars, and the further sum of five dollars for every day's neglect to remove the same, after being so notified.

Reports to
be made to
the foreman.

X. *And be it further ordained*, That the duties prescribed by the last section of this ordinance shall be performed in each district by the warden or wardens attached to such district, who shall make an immediate report to the foreman, who shall record the same in a book, to be kept for

that purpose, of all persons neglecting or refusing to comply with the orders and directions aforesaid, together with the circumstances of each case; and shall also make report whether any, and what cases of violations of the laws of this State, prohibiting the construction of wooden buildings within certain limits in this city, have come to his knowledge; and in case of any violation of such law, he shall particularly report the names of the owner or owners of the building and of the master builder, and the particular circumstances of each case; and in case of neglecting to report as aforesaid, such warden shall forfeit and pay the sum of ten dollars. But it is hereby expressly declared, that the foreman or any of the wardens of the ward, may give such orders and directions as are above authorized and directed in and by the ninth section of this law, in case the same shall not be given by the warden of the district where the danger exists or is apprehended.

XI. *And be it further ordained*, That the firemen shall be divided into companies, to consist of as many members as the Common Council shall, from time to time, direct to attend to the fire-engines, hose-wagons, and hooks and ladders belonging, or that may hereafter belong to the Corporation of this city, or such hose-wagons, and hooks and ladders as the Common Council shall direct; and that each of the said companies shall and may choose, out of their own number, a foreman, assistant, and clerk, in such manner and at such times as they may think proper. And it shall be the duty of the said firemen, as often as any fire shall break out in the said city, to repair immediately upon the alarm thereof, to their respective engines, hose-wagons, hooks and ladders, and convey them to or near the place where such fire shall happen, and there, in conformity with the directions given by the Chief Engineer or other

Firemen.

engineers, shall work and manage the said engines, or apparatus and implements, with all their skill and power; and when the fire is extinguished, shall not remove therefrom but by the direction of an engineer; when they shall return their respective hose-wagons, hooks and ladders, engines and apparatus, well washed and cleaned, to their several places of deposit. And for the more effectually perfecting the firemen in their duty, and keeping and preserving the said fire-engines and other implements and apparatus from decay, the said firemen shall, in the months of May, June, July, August, September, October, and November, draw out the said fire-engines and other implements, in order to wash and clean them, and to exercise the men; and if any fireman shall neglect the said duty, he shall forfeit and pay for every default, one dollar; and if he shall neglect to attend at any fire as aforesaid, or leave his fire-engine or other apparatus while at any fire, without permission, or shall neglect to perform his duty on such occasion, without reasonable excuse, he shall, for every default, forfeit and pay the sum of three dollars; and if any fireman shall neglect to do his duty as such, in attending at fires, or in working, exercising, managing, trying, or using the said fire-engine, or other implements or apparatus provided for extinguishing fires, every such person shall, besides the fines and penalties aforesaid, be removed and displaced from his station. And whenever any fireman is appointed to supply any vacancy in any company as aforesaid, it shall be his duty to call on the Treasurer of the Fire Department, and procure a certificate, within one month from the date of his election, specifying the name and number of the company to which such fireman shall be elected. And every fireman or Fire Warden heretofore appointed, who hath not yet obtained such certificate, shall

procure the same within one month after the passing of this ordinance. And any fireman who may, after resignation, removal, absence, or expulsion from the company, be re-elected, shall obtain a new certificate as aforesaid. And it shall be the duty of the Chief Engineer to certify, on every return, whether a vacancy exists in the company.

XII. *And be it further ordained,* That in order that the members of the Common Council, Engineers, and Fire Wardens, may be readily distinguished at fires, the Mayor, Recorder, Aldermen, and Assistants, shall severally bear, on those occasions, a wand with a gilded flame on the top ; and each of the engineers shall wear a leathern cap painted white, with a gilded front thereto, and a fire-engine emblazoned thereon, and shall also carry a speaking-trumpet, painted black, with the words "Chief Engineer," "Engineer No. 1," &c., as the case may be, in white, which shall also be painted on their caps respectively ; and each of the Fire Wardens shall wear a hat, the brim black, the crown painted white, with the city arms blazoned on the front, and shall also carry a speaking-trumpet painted white, with the word "Warden," in black painted thereon.

How Aldermen, Assistants, Engineers, and Fire Wardens are to be distinguished.

XIII. *And be it further ordained,* That the firemen of the said city shall, when on duty, wear leathern caps, in the form heretofore used ; and the said caps (except those worn by the floating engine fire company) shall be painted and distinguished in the manner following, viz: the foreman of each of the fire-engine companies (except the floating engine company) shall wear a cap, painted black, with a white frontispiece, and the word "Foreman," with the initials of his name and the number of his engine painted thereon, in black ; and the firemen of the said fire-engine companies (except as above excepted) shall wear a cap, painted black, with the initials of their names and the

Caps of firemen.

number of the engines to which they belong painted in the front thereof, in white. The foreman of each of the hook and ladder companies shall wear a cap, painted black, with a white frontispiece, and the word "Foreman," and the initials of his name, and the number of the company to which he belongs, and a hook and ladder painted thereon, in black; and the members of the said hook and ladder companies shall wear a cap, painted black, with the initials of their names, and number of the company to which they belong, with a hook and ladder, painted in the front thereof, in white. And the foremen of each of the fire hose companies shall wear a cap, painted black, with a white frontispiece, and the word "Foreman," and the initials of his name, and the number of the company to which he belongs, and a coil of hose painted thereon, in black; and the members of the said fire hose companies shall wear caps, painted black, with the initials of their names and the number of the company to which they belong, with a coil of hose painted thereon, in white. And the assistants to each respective company shall wear caps, painted in the same manner as that of foreman of the company, with the word "Assistant,"-in lieu of the word foreman. And further, that it shall be the duty of the Chief Engineer to report to the Common Council the name of every person who shall neglect or refuse to comply with the foregoing requisitions; which said person shall thereupon be removed and displaced from his station.

Aldermen
and Assist-
ants, Fire
Wardens,
Foremen and
Bell-ringers
to be notified
of fires by
the watch-
men.

XIV. *And be it further ordained*, That the names and places of abode of the members of the Common Council, Engineers, Fire Wardens, and foremen of the respective companies, and bell-ringers, shall annually, in the month of December, be printed and set up in the several watch-houses in this city, by the City Inspector; and whenever

any fire may happen in the night, the watchmen shall immediately give notice to each of the members of the Common Council, Engineers, Fire Wardens, foremen, and bell-ringers within their respective watch districts; and it shall, moreover, be the duty of every watchman, upon the breaking out of any fire, to alarm the citizens, by crying fire, and mentioning the street where it may be, so that the firemen and citizens may thereby be generally directed where to repair, and if any watchman shall neglect so to do, he shall forfeit and pay the sum of one dollar. And if it shall happen that a chimney only shall be on fire, either by day or night, the fire-bell at the City Hall, and the bells of the several churches in this city, shall not be rung; but only on occasions where a building shall be proclaimed to be on fire. And it is enjoined on the occupants to place a lighted candle at the windows of their respective buildings, when fire may happen at night, in order that citizens may pass along the streets with the greater safety.

XV. *And be it further ordained*, That it shall be the duty of the constables and marshals of this city to repair, immediately on the alarm of fire, with their staves of office, to the place where such fire may be; and there assemble, and attend to and obey such orders as may be given them by the Mayor, Recorder, or any of the Aldermen or Assistant Aldermen of the said city, for the preservation of the public peace, and the removal of all idle and suspected persons, or others not actually and usefully employed in aiding the extinguishment of such fire, or in the preservation of property in the vicinity thereof. And if any constable or marshal shall not attend at such fire, or shall neglect or refuse to obey any orders that may be given him as aforesaid, he shall forfeit and pay the sum of ten dollars for each offense.

Constables
and Marshals
to attend
fires.

Vessels not
to obstruct
floating en-
gines.

XVI. *And be it further ordained,* That no boat or vessel of any kind, raft, or any other obstruction, shall be placed in the river so as to impede or obstruct the removal of the floating engines, and that every person who shall be guilty of placing any obstruction in front of the said floating engines as aforesaid, shall forfeit and pay the sum of fifty dollars.

Of buckets.

XVII. *And be it further ordained,* That the owner or occupant of every dwelling-house within the city, having less than three fire-places, shall provide one leathern bucket; and having three fire-places, and less than six, two leathern buckets; and having six fire-places, and less than nine, four leathern buckets; and having nine fire-places and upwards, six leathern buckets; to be marked with at least the initial letters of the owner's name, with the number of the house to which it belongs, and the name of the street in which such house is situate. And the owner or occupant of every brew-house, distillery, sugar-house, soap and candle manufactory, and ship-chandlery store shall provide nine leathern buckets; and the owner or occupant of every bake-house and air-furnace shall provide six leathern buckets over and above the buckets to be provided for their respective dwelling-houses aforesaid; each of which aforesaid leathern buckets shall be capable of containing two gallons and a half of water, and shall be suspended in some convenient place, ready to be delivered and used for extinguishing fires, when any shall occur. And further, that all such leathern buckets as aforesaid shall be furnished and provided by the persons inhabiting or occupying such houses and buildings respectively as aforesaid, at the expense of the owner; and if such inhabitant or occupant be a tenant, the price of such leathern bucket shall

be allowed and deducted out of the rent, unless there be a special agreement between the parties to the contrary. And in case of any neglect in any of the matters herein before mentioned, the person offending shall, for every month he or she shall so neglect, forfeit the sum of one dollar and fifty cents for each leathern bucket deficient. And every inhabitant or occupant who shall refuse to deliver, on the alarm of fire, such leathern bucket or buckets belonging to such house or building which they may occupy, shall forfeit and pay fifty cents for each bucket so detained and refused to be delivered. It shall, nevertheless, be optional with any owner of a dwelling-house as aforesaid, to surrender and deliver over to the Mayor, Aldermen, and Commonalty of this city, such number of leathern buckets not exceeding one half of the whole number such dwelling-house is required to have; which buckets, when surrendered and delivered over to whomsoever the Common Council shall direct, shall become public buckets; and shall be deposited in such suitable place or places, in each ward, as they shall direct, and for which the owner of every such dwelling-house shall receive a certificate, from the City Inspector, exempting such dwelling-house, thereafter, from so many leathern buckets as shall be so surrendered and delivered over; and the same shall also be registered in a book, to be kept for the purpose, by the City Inspector. And if any person shall detain any leathern bucket or buckets which shall have been provided or used at any fire as aforesaid, from the owner or owners thereof, above twenty-four hours, such person shall forfeit and pay, for every leathern bucket so detained, the sum of four dollars.

XVIII. *And be it further ordained, That if any chimney, stove-pipe, or flue, within this city, shall take fire, through* Penalty on a chimney's taking fire.

neglect of being properly swept and cleansed, the occupant of the house to which such chimney appertains, shall forfeit and pay the sum of five dollars.

Carpenters,
&c., to secure
shavings.

XIX. *And be it further ordained,* That all carpenters, and others using any trade by which shavings are made, shall, respectively, at the close of each day, on leaving off work, cause the same to be securely stowed in some safe place, remote from danger by means of fire, under the penalty of five dollars.

Of fires in
the streets.

XX. *And be it further ordained,* That if any person or persons shall kindle any fire in any street, road, or lane, or on any wharf (except for the purpose of boiling tar, which fire shall not be more than six feet from the end of the wharf), in this city, every such person shall forfeit and pay the sum of ten dollars for every such offense.

Hay and
straw, how
to be placed.

XXI. *And be it further ordained,* That if any person or persons shall have, or put, or keep any hay or straw, uncovered, in any stack or pile, or in any way exposed, within one hundred yards of any building, to the southward of a line commencing at the Hudson River, and running from thence through Fitzroy road, Greenwich lane, Art street, and the Bowery, to Stanton street; and from thence through Stanton street to the East River; or shall have, put, or keep to the southward of the said line, any hay, straw, hemp, flax, shavings, or rushes, in any building not built of stone or brick, and covered with tile or slate, which is, or shall be, within ten feet of any dwelling-house or chimney whatsoever, every such person shall forfeit and pay, for every such offense, twenty-five dollars, and the further sum of ten dollars for every twenty-four hours the same shall so remain, after notice being given, in writing, to the owner

or person having charge thereof, by any Fire Warden, to remove the same.

XXII. *And be it further ordained*, That if any owner or occupant of any stable within this city, or any person in the employment of such owner or occupant, shall use therein any lighted candle or lamp, except the same shall be securely kept within a lantern, every such person shall forfeit and pay, for every such offense, ten dollars.

Candles,
how to be
used in sta-
bles.

XXIII. *And be it further ordained*, That all the fines, penalties, and forfeitures, imposed by this law, for not attending fires, and for not attending at the meetings for washing the fire-engines and exercising the men, shall, when received, be paid to the treasurers of the respective companies aforesaid, in which the delinquencies may happen, for the use and benefit of said companies; and all the other fines, penalties, and forfeitures, imposed by this law, shall, when recovered, be paid to the Treasurer of the "Fire Department of the City of New York," for the use and benefit of the said Fire Department. And further, that the Chief Engineer shall, annually, on the second Monday of December, in each year, report to the Common Council the amount of the sums which may be received as aforesaid, by the said Fire Department of the City of New York, and the application thereof.

Penalties,
how appro-
priated.

XXIV. *And be it further ordained*, That it shall be lawful for the Fire Department of the City of New York, and for the respective companies before mentioned, or persons duly authorized by them, to receive, sue for, and recover, in the name of the Mayor, Aldermen, and Commonalty of the City of New York, all the fines, penalties, and forfeitures hereby imposed, which may be appropriated for their respective uses as aforesaid.

Penalties,
how recover-
ed.

Machine for
throwing
down chim-
neys to be
purchased.

Jacob Smith, junior, having made application respecting a machine for throwing down chimneys in case of fire, the committee, to whom was referred the subject, reported that they had examined the machine, were of the opinion that it would answer a good purpose, and, as the expense would be trifling, they directed the Superintendent of Repairs to provide one.

Which report was approved.

(Vol. 34, page 261, P. C. C., MSS.)

J. Smith,
Jr., to be paid
for superin-
tending build-
ing of such
machine.

On the 19th of April, 1819, the same subject being before the Committee, they presented a report in favor of paying Jacob Smith, Jr., for his services in superintending the said machine. The resolution appended to said report reads:

“Resolved, That the Comptroller be, and he is hereby requested to prepare a warrant in favor of Jacob Smith, Jr., for the sum of fifty dollars.”

Which was approved, and the Comptroller directed to report a warrant accordingly.

(Vol. 37, P. C. C., MSS., pages 427-8.)

The Committee on the Fire Department, March 11, 1818, presented a report concluding with the following resolution :

Fire limits
to be extend-
ed.

“Resolved, That application be made to the Legislature, at their present session, to extend the limits against the erection of wooden buildings, so as to commence at the East river, at the foot of Montgomery street ; up Montgomery to Cherry ; thence through Cherry to Clinton ; thence up Clinton to Harman ; thence through Harman to Catharine ; through Catharine to Chatham ; thence down

Chatham to Pearl ; thence through Pearl to Elm ; thence through Elm to Walker ; thence through Walker to Beach ; thence through Beach to the Hudson river ; including, also, the lots of ground fronting on both sides of said streets through which the above-mentioned line runs, and including also the lots of ground fronting on both sides of Broadway, up to Art street ; and that the Counsel present a bill for that purpose, agreeable to the present law, to the Legislature."

Which report was approved, and the Counsel, agreeably to the request of the Committee, presented a memorial to the Legislature, and the draft of a law entitled "An act in addition to an act for the more effectual prevention of fires in the City of New York."

Which was approved, and directed to be transmitted to the Legislature.

(Vol. 35, P. C. C., MSS., pages 28-9.)

This law, though transmitted to the Legislature, was never enacted.

In consequence of a signal neglect (it not being an express duty) of the sextons of the various churches in ringing the bells at a fire that occurred on the morning of the 19th of August, 1818, and a large number of the firemen thereby not being alarmed, the following *recommendation* was approved on the 24th of August, viz.: "That it be made a duty of the watchmen, at the cry of fire, immediately to alarm the sextons of the different churches in the city." The churches having given instructions to the sextons to ring an alarm on being notified. (Vol. 36 P. C. C. MSS., p. 107.)

Watchmen,
on alarm of
fire, to notify
sextons
of
churches.

Law relative to fire buckets repealed.

On the 27th of December, 1819, the Committee on the Fire Department reported, that as the fire buckets were rapidly being superseded by the use of hose, they submitted the following ordinance :

Be it ordained by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened :

That so much of the law for preventing and extinguishing fires, passed the 5th day of May, 1817, as relates to fire-buckets, be and the same is hereby repealed.

Which was approved, and the ordinance read and passed.

(Vol. 39 P. C. C., MSS., p. 325.)

Salary of Chief Engineer.

The salary of the Chief Engineer, which, prior to the 28th day of February, 1820, had been eight hundred dollars per annum, was on that day reduced to the sum of five hundred dollars per annum. (Vol. 40 P. C. C., MSS., page 103.)

Upon petition reported on the 29th of May, 1820, the following resolution was passed :

Firemen to receive certificate of service.

"Resolved, That the Clerk of this Board be, and he is hereby authorized to give a certificate to such firemen as may apply, and provide sufficient testimony that they, the said firemen, have served the time required by law."

Which was approved, and the resolution adopted.

(Vol. 41 P. C. C., MSS., p. 40.)

On the 5th day of June, 1820, the Special Committee, to whom was referred the subject of appointing Health Wardens, under the act of the 14th day of April, 1820, reported the following resolutions :

Health Wardens.

Resolved, That it is expedient to appoint Health Wardens.

Resolved, That the Fire Wardens of the city be clothed with authority to discharge the duties of Health Wardens, under the act of the 14th April last, and that they be placed for that purpose, under the direction and control of the Board of Health.

Fire Wardens to act as Health Wardens.

Resolved, That the Counsel of the Board be directed to prepare an ordinance in conformity to the above resolutions.

Counsel to prepare ordinance.

Which was approved, and the resolutions adopted.

(Vol. 41 P. C. C., MSS., pages 70-1.)

On a communication from the Chief Engineer, stating that mistakes sometimes occurred in the returns of the names of persons to be appointed as Fire Wardens and firemen, by omitting a letter, &c., to the name, which was immaterial, the Clerk of the Common Council was authorized to correct such mistakes on the minutes. (Vol. 41 P. C. C., pp. 319-20.)

Clerk to correct mistakes in names.

A LAW for preventing and extinguishing fires.

PASSED December 26, 1820.

Be it ordained by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened :

Fire Department, of whom to consist.

That the Fire Department of the said City shall consist of a Chief Engineer, who shall have an annual salary of five hundred dollars, payable quarterly, and as many other engineers, fire wardens, fire-enginemen, hosemen, and hook-and-laddermen, as are or may, from time to time, by the said Common Council, be duly appointed; and who shall be respectively distinguished by the several appellations aforesaid.

Chief Engineer, his duties.

II. *And be it further ordained,* That the Chief Engineer shall in all cases of fire, have the sole and absolute control and command over all the engineers and other persons of the Fire Department; and it shall be the duty of the said Chief Engineer to direct the other engineers to take proper measures that the several fire-engines be arranged in the most advantageous situations, and be duly worked for the effectually extinguishing of fires. And it shall, moreover, be the duty of the said Chief Engineer to examine, twice in every year, into the condition and number of the fire-engines, fire-buckets, and other fire apparatus, and fire-engine houses belonging to the Corporation, and report the same once a year to the Common Council, together with the names of all the members of the Fire Department, and the respective associations to which they belong; which

shall be published in the month of June, in every year, by the City Inspector, in the newspapers employed by the Common Council. And whenever any of the said fire-engines and other fire apparatus shall require to be repaired, the Chief Engineer, under the direction of the Committee on the Fire Department, shall cause the same to be well and sufficiently done. And it shall, moreover, be the duty of the Chief Engineer to report, in writing, all accidents by fire that may happen in this city, with the causes thereof, as well as can be ascertained, and the number and description of the buildings destroyed or injured, together with the names of the owners and occupants, to the City Inspector, who shall keep a faithful register of the same.

III. *And be it further ordained*, That so many of the freeholders or freemen of the said city as the Common Council thereof may deem proper, shall, from time to time, be appointed in each of the wards of the said city, to be denominated Fire Wardens ; each of whom shall be assigned and attached by the Mayor of the said city, to such company of firemen, having charge of a fire-engine, as he may think proper ; and shall report himself to the Chief or other engineer, at every fire. And each Fire Warden shall have a certificate, under the seal of the Mayoralty, setting forth his appointment as a Fire Warden, and the company of firemen to which he may be attached.

Fire Wardens, how appointed.

IV. *And be it further ordained*, That the Fire Wardens of each ward shall form a separate company ; and that each of the said companies shall and may choose, out of their own number, a foreman and clerk, in such manner and at such times as they may think proper ; and each company may make rules regulating the time and manner of conducting their elections, and imposing such fines upon the

To be divided into companies, and to make rules and regulations.

members as, in their judgment, may best secure the performance of the duties of the said Fire Wardens, both at fires, and visiting the buildings, and in other duties in their several districts; and disobedience to such rules shall be reported by each company to the Common Council, and shall subject the Fire Warden, so disobeying, to removal by the Common Council.

Vacancies,
how filled.

V. *And be it further ordained*, That whenever a vacancy shall happen in any of the said companies, the company where the same shall happen, may recommend, through the Chief Engineer, to the Common Council, for approbation, a suitable person to fill such vacancy; but none other than those who have been firemen for at least five years shall be so recommended.

Fire Wardens
subject to
the direction
of the Engi-
neers.

VI. *And be it further ordained*, That the said Wardens, when attending fires, shall be subject to the direction of the Chief Engineer, and the other engineers of the Fire Department.

Duty of
Wardens.

VII. *And be it further ordained*, That it shall be the duty of the said Fire Wardens, immediately on the alarm of fire, to repair to the place where it may be, and aid and assist in procuring supplies of water to the fire-engines to which they shall respectively be assigned and attached, and to such other fire-engines as the Chief Engineer or other engineer may direct them to attend. It shall also be the duty of the said Fire Wardens to prevent the hose from being trodden on, and to keep all idle and suspected persons at a proper distance from the fire, and from the vicinity, and the citizens are hereby enjoined to comply with the orders and directions of the said Fire Wardens in the premises.

VIII. *And be it further ordained*, That each of the said

companies shall divide their ward into districts, and that the foreman of the company shall attach one or more of the members of the said company to each of the said districts, for the purpose of making the visitation and examination directed in the next following section; who shall keep a record of the names of the occupants of the houses, and the number of the same, wherein they shall observe any violations of this law, or of the act for the more effectual prevention of fires, and annually, in the month of January, exhibit a transcript of the same to their foreman, and the said foreman shall report to the Chief Engineer, in the month of June, annually, the name, residence, and occupation of each of the wardens of his company; and to the Common Council all neglects on the part of any of the wardens of his company to comply with the requisitions of this section, and every warden, so neglecting his duty, shall be removed from his office.

Wards to
be divided
into inspec-
tion districts

IX. *And be it further ordained,* That it shall be the duty of the said Fire Wardens, twice in every year, namely, in the months of June and December, and as much oftener as they may think proper, to examine the dwelling-houses and other buildings in their respective wards, for the purpose of ascertaining all violations of the act for the more effectual prevention of fires in the city of New York, and also to examine the fire-places, hearths, chimneys, stoves and the pipes thereto, ovens, boilers, kettles, and also all chemical apparatus which, in their opinion, may be dangerous in causing or promoting fires, and also the places where ashes may be deposited; and, upon finding any of them defective or dangerous, they, or either of them, shall direct the owner or occupant, either by a printed or written notice, to alter, remove, or amend the same, in such manner, and within such reasonable time as they, or either of them, may judge ne-

Wardens
to examine
houses, &c.,
and to give
directions,
&c.

cessary ; and in case of neglect or refusal so to do, the party offending shall forfeit and pay the sum of twenty-five dollars, and for every day after the time allotted as aforesaid to alter, remove, or amend the same, in conformity with the directions aforesaid, the party so offending shall forfeit and pay the further sum of five dollars. And all the expenses of any removal, alteration, or amendment, as aforesaid, shall be paid, in the first instance by the occupant, but shall be chargeable against the owner of such dwelling-house or other building, and shall be deducted from the rent of the same, unless such expense be rendered necessary by the act or default of such occupant, or unless there be a special agreement to the contrary between the parties. And it shall, moreover, be the duty of the Fire Wardens, or either of them, at such time as aforesaid, to enter into and examine all buildings, livery and other stables, hay-boats, or vessels, and places where any gunpowder, hemp, flax, tow, hay, rushes, fire-wood, boards, shingles, shavings, or other combustible materials may be lodged, and give such directions, in writing, in the premises, as may be deemed necessary by them or him, relative to the removal thereof ; and in case of neglect, or refusal on the part of the possessor of such combustible materials, or any of them, to remove or secure the same within the time and in the manner directed by the said Fire Wardens, or either of them, the party offending shall forfeit and pay the sum of twenty-five dollars, and the further sum of five dollars for every day's neglect to remove the same after being so notified.

Reports to
be made to
the foremen.

X. *And be it further ordained*, That the duties prescribed by the foregoing section of this ordinance shall be performed in each district by the warden or wardens attached to such district who shall make an immediate report to the fore-

man, who shall record the same in a book to be kept for that purpose, of all persons neglecting or refusing to comply with the orders and directions aforesaid, together with the circumstances of each case ; and shall also make report whether any, and what, cases of violations of the laws of this State, prohibiting the construction of wooden buildings, within certain limits in this city, have come to his knowledge ; and in case of any violation of such law, he shall particularly report the names of the owner or owners of the building, and of the master builder, and the particular circumstances of each case ; and in case of neglecting to report as aforesaid, such warden shall forfeit and pay the sum of ten dollars. But it is hereby expressly declared, that the foreman or any of the wardens of the ward, may give such orders and directions as are above authorized and directed in and by the ninth section of this law, in case the same shall not be given by the warden of the district where the danger exists or is apprehended.

XI. *And be it further ordained,* That the firemen shall be divided into companies, to consist of as many members as the Common Council shall, from time to time, direct, to attend to the fire-engines, hose-wagons, and hooks and ladders belonging, or that may hereafter belong, to the Corporation of this city, or such hose-wagons and hooks and ladders as the Common Council shall direct ; and that each of the said companies shall and may choose, out of their own number, a foreman, assistant, and clerk, in such manner and at such times as they may think proper. And it shall be the duty of the said firemen, as often as any fire shall break out in the said city, to repair, immediately upon the alarm thereof, to their respective engines, hose-wagons, hooks and ladders, and convey them to, or near the place where such fire shall happen, and there, in conformity

Firemen

with the directions given by the Chief Engineer, or other engineers, shall work and manage the said engines, or apparatus and implements, with all their skill and power; and when the fire is extinguished, shall not remove therefrom but by the permission of an engineer; when they shall return their respective hose-wagons, hooks and ladders, engines and apparatus, well washed and cleansed, to their several places of deposit. And for the more effectually perfecting the firemen in their duty, and keeping and preserving the said fire-engines and other implements and apparatus from decay, the said firemen shall, in the months of May, June, July, August, September, October, and November, draw out the said fire-engines and other implements, in order to wash and cleanse them, and to exercise the men; and if any fireman shall neglect the said duty, he shall forfeit and pay the sum of one dollar for every default; and if he shall neglect to attend at any fire as aforesaid, or leave his fire-engine or other apparatus while at any fire, without permission, or shall neglect to perform his duty on such occasion, without reasonable excuse, he shall, for every default, forfeit and pay the sum of three dollars; and if any fireman shall neglect to do his duty as such, in attending at fires, or in any washing, exercising, managing, trying, or using the said fire-engine, or other implements or apparatus provided for extinguishing fires, every such person shall, besides the fines and penalties aforesaid, be removed and displaced from his station. And whenever any fireman is appointed to supply any vacancy in any company as aforesaid, it shall be his duty to call on the Treasurer of the Fire Department, and procure a certificate, within one month from the date of his appointment, specifying the name and number of the company to which such fireman shall be elected. And any fireman

re-elected, shall obtain a new certificate as aforesaid. And it shall be the duty of the Chief Engineer to certify, on every return, whether a vacancy exists in the company.

XII. *And be it further ordained,* That in order that the members of the Common Council, Engineers, and Fire Wardens may be more readily distinguished at fires, the Mayor, Recorder, Aldermen, and Assistants, shall severally bear, on those occasions, a wand with a gilded flame on the top; and each of the engineers shall wear a leathern cap, painted white, with a gilded front thereto, and a fire-engine blazoned thereon, and shall also carry a speaking trumpet, painted black, with the words "Chief Engineer," "Engineer No. 1," &c., as the case may be, in white, which shall also be painted on their caps respectively; and each of the Fire Wardens shall wear a hat, the brim black, the crown painted white, with the city arms blazoned on the front, and shall also carry a speaking-trumpet, painted white, with the word "Warden," in black, painted thereon.

How Aldermen, Assistants, Engineers, and Fire Wardens are to be distinguished.

XIII. *And be it further ordained,* That the firemen of the said city shall, when on duty, wear leathern caps, in the form heretofore used; and the said caps shall be painted and distinguished in the manner following, viz: the foreman of each of the fire-engine companies shall wear a cap, painted black, with a white frontispiece, and the word "Foreman," with the initials of his name and the number of his engine painted thereon, in black; the firemen of the said fire-engine companies, shall wear a cap, painted black, with the initials of their names and the number of the engines to which they belong, painted in the front thereof, in white. The foreman of each of the hook and ladder companies shall wear a cap, painted black, with

Caps of firemen.

a white frontispiece, and the word "Foreman," and the initials of his name, and the number of the company to which he belongs, and a hook and ladder painted thereon, in black; and the members of the said hook and ladder companies shall wear a cap, painted black, with the initials of their names and the number of the company to which they belong, with a hook and ladder painted in front thereof, in white. And the foreman of each of the fire hose companies shall wear a cap, painted black, with a white frontispiece, and the word "Foreman," and the initials of his name and the number of the company to which he belongs, and a coil of hose painted thereon, in black; and the members of the said fire hose companies shall wear caps, painted black, with the initials of their names and the number of the company to which they belong, with a coil of hose painted thereon, in white. And the assistants to each respective company shall wear caps, painted in the same manner as that of the foreman of the company, with the word "Assistant," in lieu of the word foreman. And further, that it shall be the duty of the Chief Engineer to report to the Common Council the name of every person who shall neglect or refuse to comply with the foregoing requisitions; which said person shall thereupon be removed and displaced from his station.

Aldermen
and Assist-
ants, Fire-
Wardens,
Foremen, and
Bell-ringers
to be notified
of fires by
the watch-
men.

XIV. *And be it further ordained,* That the names and places of abode of the members of the Common Council, Engineers, Fire Wardens, and foremen of the respective companies, and bell-ringers, shall annually, in the month of June, be printed and set up in the several watch-houses of this city, by the City Inspector; and whenever any fire may happen in the night, the watchmen shall immediately give notice to each of the members of the Common Council, Engineers, Fire Wardens, foremen, and bell-ring-

ers within their respective watch districts; and it shall, moreover, be the duty of every watchman, upon the breaking out of any fire, to alarm the citizens, by crying fire, and mentioning the street where it may be, so that the firemen and citizens may thereby be generally directed where to repair, and if any watchman shall neglect so to do, he shall forfeit and pay the sum of one dollar. And if it shall happen that a chimney only shall be on fire, either by day or by night, the fire-bell at the City Hall, and the bells of the several churches in the city, shall not be rung; but only on occasions when a building shall be proclaimed to be on fire. And it is enjoined on the occupants to place a lighted candle at the windows of their respective buildings when fire may happen at night, in order that the citizens may pass along the streets with the greater safety.

XV. *And be it further ordained*, That it shall be the duty of the constables and marshals of this city to repair, immediately, on the alarm of fire, with their staves of office, to the place where such fire may be; and it shall be the duty of the constables then and there to report themselves to the high constable; and of the marshals, then and there to report themselves to the first marshal; and to conform to such orders as may be given them by the Mayor, Recorder, or any of the Aldermen or Assistant Aldermen of the said city, for the preservation of the public peace, and the removal of all idle and suspected persons, and others not actually or usefully employed in aiding the extinguishment of such fire or in the preservation of property in the vicinity thereof. And if any constable or marshal shall not attend at such fires, or shall neglect so to report himself, or to obey any orders that may be given him as aforesaid, he shall forfeit and pay the sum of *ten* dollars for each offense.

Constables
and Marshals
to attend
fires.

Penalty for
chimneys be-
ing on fire.

XVI. *And be it further ordained*, That if any chimney, stove pipe, or flue within this city shall take fire, the occupant of the house to which such chimney, stove pipe, or flue appertains, shall forfeit and pay the sum of *five dollars*.

Carpenters,
&c., to se-
cure shav-
ings.

XVII. *And be it further ordained*, That all carpenters and others making or using any shavings, shall respectively, at the close of each day, cause the same to be securely stored in some safe place, remote from danger by means of fire, under penalty of *five dollars*.

Of fires in
streets.

XVIII. *And be it further ordained*, That if any person or persons shall kindle any fire in any street, road, or lane, or on any pier or bulkhead in this city (except for the purpose of boiling tar; which fire shall not be more than six feet from the bulkhead or the end of the pier), every such person shall forfeit and pay the sum of *ten dollars* for every such offense.

Hay and
straw, how
to be placed.

XIX. *And be it further ordained*, That if any person or persons shall have, put, or keep any hay or straw, uncovered, in any stack or pile, or in any other way exposed, within one hundred yards of any building to the southward of a line commencing at the Hudson river, and running from thence through Fitzroy street, Greenwich lane, Art street, and the Bowery to Stanton street; from thence through Stanton street to the East river; or shall have, put, or keep to the southward of said line, any hay, straw, hemp, flax, shavings, or rushes, in any building not built of stone or brick, and covered with tile or slate, or other fire-proof materials, which is or shall be within ten feet of any dwelling-house or chimney whatsoever, every such person shall forfeit and pay, for every such offense, the sum of *twenty-five dollars*, and the further sum of *ten dollars* for every twenty-four hours the same shall so remain, after a

printed or written notice has been given to the owner or person having charge thereof, by any Fire Warden, to remove the same.

XX. *And be it further ordained*, That if any owner or occupant of any stable within this city, or any person in the employment of such owner or occupant, shall use therein any lighted candle or lamp, except the same shall be securely kept within a lantern, every such person shall forfeit and pay, for such offense, the sum of *ten dollars*. Candles, how to be used in stables.

XXI. *And be it further ordained*, That all the fines, penalties, and forfeitures imposed by this law, for not attending fires, and for not attending the meetings for washing the fire-engines and for exercising the men, shall, when received, be paid to the treasurers of the respective companies aforesaid, in which the delinquencies may happen, for the use and benefit of said companies; and that all the other fines, penalties, and forfeitures imposed by this law shall, when recovered, be paid to the Treasurer of the "Fire Department of the City of New York," for the use and benefit of the said Fire Department. And further, that the Chief Engineer shall, annually, on the second Monday of December, in each year, report to the Common Council the amount of the sums which may be received by the said Fire Department of the City of New York, and the application thereof. Penalties, how appropriated.

XXII. *And be it further ordained*, That it shall be lawful for the Fire Department of the City of New York, and for the respective companies aforementioned, or persons duly authorized by them, to receive, sue for, and recover, in the name of the Mayor, Aldermen, and Commonalty of the City of New York, all the fines, penalties, and forfeitures hereby imposed, which shall be appropriated for their respective uses as aforesaid. Penalties, how recovered.

Firemen not
to be elect-
ed under a
certain age.

XXIII. *And be it further ordained,* That no person shall be elected a fireman until he shall have attained the age of twenty-one years ; and it shall be the duty of the foremen of the respective fire companies, when they report to the Chief Engineer the names of the persons elected firemen, to certify that the persons so elected are at least twenty-one years of age.

Certificates.

XXIV. *And be it further ordained,* That it shall be the duty of the Clerk of the Common Council to furnish the certificates required to be furnished to the firemen, without fee or reward.

Act passed
April 22,
1822.

A memorial and bill, to be enacted into a law, entitled "An act for the more effectual prevention of fires in the city of New York," was approved on the 26th day of March, 1822 (vide P. C. C., vol. 45, MSS., p. 88), and directed to be duly authenticated and transmitted to the Legislature.

This bill became a law on the 12th day of April, 1822, and will be found under its appropriate date in the "Session Laws."

On the 29th of April, 1822, his Honor the Mayor laid before the Common Council certified copies of the aforesaid law, which was published in the newspapers employed by the Corporation.

Amending
laws relative
to extin-
guishing, &c.
fires.

A memorial from the Committee on the Fire Department, on the 18th day of March, 1822, was presented, to amend the law for preventing and extinguishing fires.

This was referred to the Committee on the Fire Department, and by them to the Counsel, who drafted the following :

A LAW to amend a law entitled "A law for preventing and extinguishing fires."

PASSED 10th June, 1822.

Be it ordained by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened :

That whenever the office of any of the engineers of the Fire Department shall become vacant, it shall be the duty of the engineers of that department to nominate five persons from among the firemen of said city, as suitable persons to supply such vacancy, and to give notice thereof to the foremen of the fire companies, and to require them to meet at such time and place as the said engineers shall appoint; and that the said engineers and foremen shall then and there, or at such other time and place as they may appoint, by joint ballot, designate from the persons so nominated, the person whom they may wish to fill such vacancy; and that no person shall be considered as so designated who shall not receive a majority of all the votes which shall be given.

Vacancy in the office of Engineers, how filled.

And be it further ordained, That if more than one such vacancy shall exist at the same time, that then the said engineers shall, after the designation of one person as aforesaid, add one more name to their said list, and the said engineers and foremen shall proceed, by joint ballot, as aforesaid, to designate from the said list one other person for the purpose aforesaid. And for every such additional vacancy a further designation shall be made in the same manner.

One or more vacancies, how filled.

And be it further ordained, That it shall be the duty of the Chief Engineer to report the names of the persons who may be so designated to the Common Council, as being the persons designated by the engineers and foremen as suitable persons to be appointed by the Common Council to fill such vacancies.

The above ordinance, submitted by the Council on the 27th May, and referred to the Fire Department, was reported on the 10th of June, 1822, and passed. (P. C. C., vol. 45 of MSS., p. 384.)

Value of
property
vested in the
Fire Department,
1820.

The value of the estate vested in the Fire Department as public property in 1820, was seventy-two thousand seven hundred and eighty-nine dollars.

The number of engines, including hook and ladder companies, in employ in January, 1823, were forty-seven, to which were attached one thousand two hundred and fifteen members, engineers and fire wardens not included. (P. C. C., vol. 47 of MSS., p. 16.)

Extension
of fire limits.

An extension of the fire limits was petitioned for on the 4th of February, 1823, which was referred and reported on the 24th of the same month. Subsequently, by order, the Attorney to the Corporation presented, on the 3d of March, a memorial to the Legislature, and corresponding bill, for extending the said fire limits; which were approved, directed to be duly authenticated, and transmitted to the Legislature. The result of which was the passage of the law of April 9, 1823, in relation to the above subject (*vide* Laws of 46th Session, Chap. 122), which was

laid, by his Honor, Mayor Allen, before the Common Council on the 14th of April, 1823.

On the 24th of February, 1823, the Committee on the Fire Department represented that frequent complaints were made of firemen running their engines on the sidewalks, and to prevent the same, and for some further regulations, they presented an ordinance, which was read and laid on the table. (P. C. C., vol. 47 of MSS., p. 212.)

The ordinance reads as follows :

A LAW respecting Firemen and Fires.

PASSED March 3d, 1823.

Be it ordained by the Mayor and Commonalty of the City of New York, in Common Council convened :

§1. That no fire-engine, nor hook and ladder, nor hose cart, shall, in going to or in returning from any fire, or at any other time, be run or wheeled upon any of the sidewalks of any of the public streets of this city, except by the special order of one of the engineers, under the penalty of twenty-five dollars for each offense, to be recovered in an action of debt, in the name of the Mayor, Aldermen, and Commonalty of the City of New York, from and against any and every person aiding or assisting in, or consenting to the violation of the provisions of this section.

Apparatus
not to be run
on the side-
walk.

Penalty.

§2. *And be it further ordained,* That no fire-engine, hook and ladder cart, or hose cart, shall, during the existence of any fire in this city, or report of fire, or at any time, under any pretense whatever, be taken or moved out of the

Two fire-
men at least
to be present
before appar-
atus is taken
from the
house.

house, except the foreman, or assistant foreman, or at least two of the firemen belonging to such company shall be present, and consent thereto, under the penalty of ten dollars, to be recovered in like manner as hereinbefore provided, from and against any and every person aiding or assisting in, or consenting to the violation of the provisions of this section.

Engineers,
&c., to report
violations of
ordinances.

Penalties,
how collect-
ed.

§3. *And be it further ordained*, That it shall be the duty of the several engineers, and every foreman, and assistant of any such company, to report all violations of this ordinance, and that the penalties under this law shall be sued for and collected, according to the provisions of the twenty-second section of a law, entitled, "A law for preventing and extinguishing fires," passed December 26th, 1820.

The above ordinance was called up on the 3d of March, 1823, and read by paragraphs, and passed, under the title of "A law respecting fires and firemen." (P. C. C., vol. 47 of MSS., p. 258.)

A LAW for preventing and extinguishing fires, passed by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, on the 27th day of October, 1823.

Be it ordained by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened :

Fire De-
partment, of
whom to con-
sist.

I. That the Fire Department of the said city shall consist of a Chief Engineer, and as many other engineers, fire wardens, fire-enginemmen, hosemen, and hook and ladder-men, as are or may, from time to time, be appointed by

the Common Council; and who shall be respectively distinguished by the several appellations aforesaid.

II. *And be it further ordained,* That whenever any office in the Engineer Department shall become vacant, it shall be the duty of the engineers to nominate five persons, being firemen of the said city, as suitable persons to supply such vacancy, and give notice thereof to the foremen of the fire companies respectively, and to require them to meet at such time and place as the engineers shall appoint. And that the said engineers and foremen shall, then and there, or at such other time and place as they may appoint, by joint ballot, designate, from the persons so nominated, by a majority of the votes which shall be given, the person whom they may wish to fill such vacancy.

How vacancies are to be supplied.

III. *And be it further ordained,* That if more than one such vacancy shall exist at the same time, it shall be the duty of the said engineers, after the designation of one person as aforesaid, to add the name of one other fireman to the said list, and the engineers and foremen shall thereupon proceed, by joint ballot, as aforesaid, to designate, from the said list, one other person for the purpose aforesaid; and a further nomination and designation shall be made, in like manner, for every such additional vacancy.

How to proceed if two or more vacancies exist.

IV. *And be it further ordained,* That it shall be the duty of the Chief Engineer to report the names of the persons who may be so designated to the Common Council, as being the persons designated by the engineers and foremen, as suitable persons to be appointed by the Common Council to fill such vacancies.

Chief Engineer to report the names of those designated to Common Council.

V. *And be it further ordained,* That no fire-engine, nor hook and ladder, nor hose-cart shall, in going to or re-

Engines, &c., not to go on sidewalks

without special order.

Penalty.

turning from any fire, or at any other time, be run, driven, wheeled, or placed upon any sidewalk, except by the special order of one of the engineers, under the penalty of *twenty-five dollars* for each offense, to be forfeited and paid by, and recovered from any and every person aiding or assisting in, or consenting to the violation of any of the provisions of this section, and if any offense against this section shall be committed by any fireman, he shall, moreover, be removed from his station as such fireman.

Engines, &c., not to be removed unless foreman or assistant foreman, or two firemen are present.

VI. *And be it further ordained*, That no such fire-engine, hook and ladder, or hose-cart, during any fire in this city, or any report of fire, or at any time, under any pretense whatever, shall be taken or removed out of its house, unless the foreman or assistant foreman, or at least two of the firemen of the company to which the same shall belong, shall be present and consent thereto, under the penalty of *ten dollars* for every such offense, to be forfeited and paid by, and recovered from any and every person aiding or assisting in, or consenting to the violation of any of the provisions of this section.

Duty of engineers, &c., to report violations.

VII. *And be it further ordained*, That it shall be the duty of the several engineers, and of every foreman and assistant foreman of every fire company, to report all violations of this ordinance to the Treasurer of the Fire Department.

Chief Engineer's duties.

VIII. *And be it further ordained*, That the Chief Engineer shall, in all cases of fire, have the sole and absolute control and command over all the engineers and other persons of the Fire Department; and it shall be the duty of the said Chief Engineer to direct the other engineers to take proper measures that the several fire-engines be arranged in the most advantageous situations, and be duly worked for the effectually extinguishing of fires. And it shall, moreover,

be the duty of the said Chief Engineer to examine, twice in every year, into the condition and number of the fire-engines, fire-buckets, and other fire apparatus, and fire-engine houses belonging to the Corporation, and report the same, once a year, to the Common Council, together with the names of all the members of the Fire Department, and the respective associations to which they belong. And whenever any of the said fire-engines and other fire apparatus shall require to be repaired, the Chief Engineer, under the direction of the Committee on the Fire Department, shall cause the same to be well and sufficiently done. And it shall, moreover, be the duty of the Chief Engineer to report, in writing, all accidents by fire that may happen in this city, with the causes thereof, as well as they can be ascertained, and the number and description of the buildings destroyed or injured, together with the names of the owners and occupants, to the City Inspector, who shall keep an accurate register of the same.

IX. *And be it further ordained*, That so many of the freeholders or freemen of the said city as the Common Council may deem proper, shall, from time to time, be appointed in each of the wards of the said city, to be denominated Fire Wardens; each of whom shall be assigned and attached by the Mayor of the said city, to such company of firemen, having charge of a fire-engine, as he shall think proper; and shall report himself to the Chief or other engineer, at every fire. And each Fire Warden shall have a certificate, under the seal of the mayoralty, stating his appointment as a Fire Warden, and the company of firemen to which he shall be attached.

Fire Wardens, how appointed.

X. *And be it further ordained*, That the Fire Wardens of each ward shall form a separate company, and each

To be divided into companies, and

to make rules
and regula-
tions.

of the said companies shall and may choose, out of their own number, a foreman and clerk, in such manner and at such times as they may think proper; and each company may make rules regulating the time and manner of conducting their elections, and imposing such fines upon the members as, in their judgment, may best secure the performance of the duties of the said Fire Wardens, both at fires, and visiting the buildings, and in other duties in their several districts; and disobedience to such rules shall be reported, by each company, to the Common Council, and shall subject the Fire Warden, so disobeying, to removal by the Common Council.

Vacancies,
how to be
filled.

XI. *And be it further ordained,* That whenever a vacancy shall happen in any of the said companies, the company in which the same shall happen, may recommend, through the Chief Engineer, to the Common Council, for approbation, a suitable person to fill such vacancy; but none other than those who have been firemen at least five years shall be so recommended.

Fire Ward-
ens subject
to the direc-
tion of the
engineers.

XII. *And be it further ordained,* That the said wardens, when attending fires, shall be subject to the direction of the Chief Engineer, and the other engineers of the Fire Department.

Duty of
Wardens.

XIII. *And be it further ordained,* That it shall be the duty of the said Fire Wardens, immediately on the alarm of fire, to repair to the place where it may be, and aid and assist in procuring supplies of water to the fire-engines to which they shall be respectively assigned and attached, and to such other fire-engines as the Chief Engineer or other engineer may direct them to attend. It shall also be the duty of the said Fire Wardens to prevent the hose from being trodden on, and to keep all idle and suspected per-

sons at a proper distance from the fire, and from the vicinity, and the citizens are hereby enjoined to comply with the orders and directions of the said Fire Wardens in the premises.

XIV. *And be it further ordained*, That each of the said companies shall divide their ward into districts, and the foreman of the company shall attach one or more of the members of the said company to each of the said districts, for the purpose of making the visitation and examination directed in the next following section; who shall keep a record of the names of the occupants of the houses, and the number of the same, wherein they shall observe any violations of this law, or of the act for the more effectual prevention of fires, and annually, in the month of January, exhibit a transcript of the same to their foreman, and the said foreman shall report to the Chief Engineer, in the month of June, annually, the name, residence, and occupation of each of the wardens of his company; and to the Common Council all neglects on the part of any of the wardens of his company to comply with the requisitions of this section, and every warden, so neglecting his duty, shall be removed from his office.

Ward's to
be divided
into inspection
districts.

XV. *And be it further ordained*, That it shall be the duty of the said Fire Wardens, twice in every year, viz., in the months of June and December, and as much oftener as they may think proper, to examine the dwelling-houses and other buildings in their respective wards, for the purpose of ascertaining all violations of the act for the more effectual prevention of fires in the city of New York, and also to examine the fire-places, hearths, chimneys, stoves, and the pipes thereto, ovens, boilers, kettles, and also all chemical apparatus which, in their opinion, may be danger-

Wardens to
examine
houses, &c.,
and to give
directions,
&c.

ous in causing or promoting fires, and also the places where ashes may be deposited; and, upon finding any of them defective or dangerous, they, or either of them, shall direct the owner or occupant, either by a printed or written notice, to alter, remove, or amend the same, in such manner, and within such reasonable time as they, or either of them, may judge necessary; and in case of neglect or refusal so to do, the party so offending shall forfeit and pay the sum of twenty-five dollars, and for every day after the time allotted as aforesaid to alter, remove, or amend the same, in conformity with the directions aforesaid, the party so offending shall forfeit and pay the further sum of five dollars. And all the expenses of any removal, alteration, or amendment, as aforesaid, shall be paid, in the first instance by the occupant, but shall be chargeable against the owner of such dwelling-house or other building, and shall be deducted from the rent of the same, unless such expense be rendered necessary by the act or default of such occupant, or unless there be a special agreement to the contrary between the parties. And it shall, moreover, be the duty of the Fire Wardens, or either of them, at such time as aforesaid, to enter into and examine all buildings, livery and other stables, hay boats, or vessels, and places where any gunpowder, hemp, flax, tow, hay, rushes, fire-wood, boards, shingles, shavings, or other combustible materials may be lodged, and give such directions, in writing, in the premises, as may be deemed necessary by them or him, relative to the removal thereof; and in case of neglect or refusal on the part of the possessor of such combustible materials, or any of them, to remove or secure the same within the time and in the manner directed by the said Fire Wardens, or either of them, the party offending shall forfeit and pay the sum of twenty-five dollars, and the further sum of five dol-

lars for every day's neglect to remove or secure the same after being so notified.

XVI. *And be it further ordained*, That the duties prescribed by the foregoing section shall be performed within each district by the warden or wardens attached to such district, who shall make an immediate report to the foreman, who shall record the same in a book to be kept for that purpose, of all persons neglecting or refusing to comply with the orders and directions aforesaid, together with the circumstances of each case; and shall also make report whether any, and what cases of violations of the laws of this State, prohibiting the construction of wooden buildings, within certain limits in this city, have come to his knowledge; and in case of any violation of such law, he shall particularly report the name of the owner or owners of the building, and of the master builder, and the particular circumstances of each case; and in case of neglecting to report as aforesaid, such warden or wardens shall forfeit and pay the sum of ten dollars. But it is hereby expressly declared, that the foreman or any of the wardens of the ward, may give such orders and directions as are authorized and directed in and by the preceding section of this law, in case the same shall not be given by the warden of the district where the danger exists or is apprehended.

Report to
be made to
the foreman.

XVII. *And be it further ordained*, That the firemen shall be divided into companies, to consist of as many members as the Common Council shall from time to time direct, to attend to the fire-engines, hose-wagons, and hooks and ladders belonging, or that may hereafter belong to the Corporation of this city, or to such hose-wagons and hooks and ladders as the Common Council shall direct; and that each of the companies shall and may choose, out of their

Firemen to
be divided
into compa-
nies.

Officers of
companies

own number, a foreman, assistant, and clerk, in such manner and at such times as they may think proper. And it shall be the duty of the said firemen, as often as any fire shall break out in the said city, to repair, immediately upon the alarm thereof, to their respective engines, hose-wagons, hooks and ladders, and convey them to or near the place where such fire shall happen, unless otherwise directed by the Chief or other engineer; and there, in conformity with the directions given by the Chief Engineer or other engineers, shall work and manage the said engines, or apparatus and implements, with all their skill and power; and when the fire is extinguished, shall not remove therefrom but by the permission of an engineer; and on such permission they shall return their respective hose-wagons, hooks and ladders, engines and apparatus, well washed and cleansed, to their several places of deposit. And for the more effectually perfecting the firemen in their duty, and keeping and preserving the said fire-engines and other implements and apparatus from decay, the said firemen shall, in the months of May, June, July, August, September, October, and November, draw out their said fire-engines and other implements, in order to wash and cleanse them, and to exercise the men; and if any fireman shall neglect the said duty, he shall forfeit and pay for every default the sum of one dollar; and if he shall neglect to attend at any fire as aforesaid, or leave his fire-engine or other apparatus while at any fire, without permission, or shall neglect to do his duty on such occasion, without reasonable excuse, he shall, for every default, forfeit and pay the sum of three dollars; and if any fireman shall neglect to do his duty as such, in attending at fires, or in washing, exercising, managing, trying, or using the said fire-engine, or other implements or apparatus provided for extinguishing fires, every such person

Removal of
firemen, and
vacancy
filled for neg-
lect of duty.

shall, besides the fines and penalties aforesaid, be removed from his station. And whenever any fireman is appointed to supply any vacancy in any company, it shall be his duty to call on the Treasurer of the Fire Department, and procure a certificate, within one month from the date of his appointment, specifying the name and number of the company to which such fireman shall be elected. And any fireman, after being re-elected, shall obtain a new certificate as aforesaid. And it shall be the duty of the Chief Engineer to certify, on every return, whether a vacancy exists in the company.

XVIII. *And be it further ordained*, That in order that the members of the Common Council, Engineers, and Fire Wardens may be more readily distinguished at fires, the Mayor, Recorder, Aldermen, and Assistants, shall severally bear, on those occasions, a wand, with a gilded flame at the top; and each of the engineers shall wear a leathern cap, painted white, with a gilded front thereto, and a fire-engine emblazoned thereon, and shall also carry a speaking-trumpet, painted black, with the words "Chief Engineer," "Engineer No. 1," &c., as the case may be, in white, which shall also be painted on their caps respectively; and each of the Fire Wardens shall wear a hat, with the brim black, the crown painted white, and the city arms blazoned on the front, and shall also carry a speaking-trumpet, painted white, with the word "Warden," in black, painted thereon.

How Aldermen, Assistants, Engineers, and Fire Wardens are to be distinguished at fires.

XIX. *And be it further ordained*, That the foremen of engine companies, and the firemen, shall, when on duty, wear leathern caps, in the form heretofore used; and the said caps shall be painted and distinguished in the manner following, viz.: the cap of each foreman shall be painted

Caps of the firemen.

black, with a white frontispiece, and the word "Foreman," with the initials of the name of the foreman, and the number of the engine to which he belongs painted thereon, in black ; the cap of each fireman shall be painted black, with the initials of the name of the fireman and the number of the engine to which he belongs, painted in front thereof, in white. The foreman of each of the hook and ladder companies shall wear a cap, painted black, with a white frontispiece, and the word "Foreman," and the initials of his name, and the number of the company to which he belongs, with a hook and ladder painted thereon, in black ; and each member of the hook and ladder companies shall wear a cap, painted black, with the initials of his name and the number of the company to which he belongs, with a hook and ladder painted in front thereof, in white ; and each foreman of the fire hose companies shall wear a cap, painted black, with a white frontispiece, and the word "Foreman," and the initials of his name, and the number of the company to which he belongs, and a coil of hose painted thereon, in black ; and each member of the said fire hose companies shall wear a cap, painted black, with the initials of his name, and the number of the company to which he belongs, with a coil of hose painted thereon, in white. And the assistant to each respective company shall wear a cap, painted in the same manner as that of the foreman of the company, with the word "Assistant," in lieu of the word foreman. *And further*, that it shall be the duty of the Chief Engineer to report to the Common Council the name of every person who shall neglect or refuse to comply with the foregoing requisitions, which said person shall thereupon be removed from his station.

XX. *And be it further ordained*, That the names and

places of abode of the members of the Common Council, Engineers, Fire Wardens, and foremen of the respective companies, and bell-ringers shall, annually, in the month of June, be printed, and set up in the several watch-houses, by the City Inspector. And whenever any fire shall happen in the night, the watchmen shall give notice to each of the members of the Common Council, Engineers, Fire Wardens, foremen, and bell-ringers within their respective watch districts. And it shall, moreover, be the duty of every watchman, upon the breaking out of any fire, to alarm the citizens by crying fire, and mentioning the street where it may be, so that the firemen and citizens may thereby be generally directed where to repair; and if any watchman shall neglect so to do, he shall forfeit and pay the sum of *one dollar*. And if it shall happen that a chimney only shall be on fire, either by day or night, the fire bell at the City Hall, and the bells of the several churches in this city, shall not be rung; but only on occasions where a building shall be proclaimed to be on fire. And it is enjoined on the occupants to place a lighted candle at the windows of their respective buildings, when fire may happen at night, in order that citizens may pass along the streets with the greater safety.

Aldermen
and Assist-
ants, Fire
Wardens and
Bell-ringers,
to be notified
of fires by
the watch-
men.

XXI. *And be it further ordained,* That it shall be the duty of the constables and marshals to repair, immediately on the alarm of fire, with their staves of office, to the place where such fire may be; and it shall be the duty of the constables then and there to report themselves to the high constable; and of the marshals then and there to report themselves to the first marshal, and to conform to such orders as may be given them by the Mayor, Recorder, or any one of the Aldermen or Assistants, for the preservation of the public peace, and the removal of all idle and sus-

Constables
and Marshals
to attend
fires.

pected persons, or others not actually or usefully employed in aiding the extinguishment of such fire, or in the preservation of property in the vicinity thereof. And if any constable or marshal shall not attend at such fire, or shall neglect so to report himself, or to obey any orders that may be given him as aforesaid, he shall forfeit and pay the sum of *ten dollars* for each offense.

Penalty for
chimneys be-
ing on fire.

XXII. *And be it further ordained*, That if any chimney, stove-pipe, or flue within this city shall take fire, the occupant of the house to which such chimney, stove-pipe, or flue appertains, shall forfeit and pay *five dollars*.

Carpenters,
&c., to secure
shavings.

XXIII. *And be it further ordained*, That all carpenters and others making or using shavings, shall respectively, at the close of each day, cause the same to be securely stowed in some safe place, remote from danger by means of fire, under the penalty of *five dollars* for each omission so to do.

Of fires in
streets.

XXIV. *And be it further ordained*, That no person shall kindle any fire, nor furnish the materials for any fire, nor in any way authorize or allow any fire to be made in any street, road, or lane, or on any pier or bulkhead in this city, except for the purpose of boiling tar, which fire shall not be more than six feet from the bulkhead or the end of the pier, under the penalty of *ten dollars* for every such offense.

Hay and
straw, how
to be placed.

XXV. *And be it further ordained*, That no person shall have, put, or keep any hay or straw, uncovered, in any stack or pile, or in any other way exposed, within one hundred yards of any building, to the southward of a line commencing at the Hudson river, and running from thence through Fitzroy street, Greenwich lane, Art street, and the Bowery, to Stanton street; and from thence through Stan-

ton street to the East river ; or shall have, put, or keep to the southward of said line, any hay, straw, hemp, flax, shavings, or rushes, in any building not built of stone or brick, and covered with tile or slate, or other fire-proof materials, which is or shall be within ten feet of any dwelling-house or chimney whatsoever, under the penalty of *twenty-five dollars* for every such offense, and the further penalty of *ten dollars* for every twenty-four hours the same shall so remain, after a printed or written notice has been given, to the owner or person having charge thereof, by any Fire Warden, to remove the same.

XXVI. *And be it further ordained*, That no owner or occupant of any stable within this city, or any person in the employment of such owner or occupant, shall use therein any lighted candle or lamp, except the same shall be securely kept within a lantern, under the penalty of *ten dollars* for every such offense.

Candles,
how to be
used in sta-
bles.

XXVII. *And be it further ordained*, That all the fines, penalties, and forfeitures imposed by this law for not attending fires, and for not attending the meetings for washing the fire-engines and for exercising the men, shall, when received, be paid to the treasurers of the respective companies aforesaid, in which the delinquencies may happen, for the use and benefit of the said companies : and that all the other fines, penalties, and forfeitures imposed by this law, shall, when recovered, be paid to the Treasurer of the "Fire Department of the City of New York," for the use and benefit of the said Fire Department. And further, that the Chief Engineer shall, annually, on the second Monday of December, in each year, report to the Common Council the amount of the sums which may be received by the said Fire Department of the City of New York, and the application thereof.

Penalties,
how appro-
priated.

Penalties,
how recover-
ed.

XXVIII. *And be it further ordained,* That it shall be lawful for the Fire Department of the City of New York, and for the respective companies before mentioned, or persons duly authorized by them, to receive, sue for, and recover, in the name of the Mayor, Aldermen, and Commonalty of the City of New York, all the fines, penalties, and forfeitures hereby imposed, which shall be appropriated for their respective uses as aforesaid.

Firemen,
not to be
elected under
a certain age.

XXIX. *And be it further ordained,* That no person shall be elected a fireman until he shall have attained the age of twenty-one years ; and that it shall be the duty of the foremen of the respective fire companies, when they report to the Chief Engineer the names of the persons elected firemen, to certify that the persons so elected are at least twenty-one years of age.

Certificates.

XXX. *And be it further ordained,* That it shall be the duty of the Clerk of the Common Council to furnish the certificates, required to be furnished to the firemen, without fee or reward.

On the 21st day of June, 1824, the following resolution was approved, and directed to be published in the newspapers employed by the Corporation, viz :

Volunteers
henceforth
not to assist
in conveying
apparatus to
fires.

Resolved, That the Chief Engineer be directed to address a circular to each fire company, ordering them to dispense with the services of the volunteers, and in case of their non-compliance, to send the engine, hook and ladder, or hose-cart, as the case may be, to the Corporation yard, and report the company to the Common Council forthwith (Vol. 51 of P. C. C., MSS., p. 159.)

The following resolution was adopted on the 20th of June, 1825.

Resolved, That the places of all the firemen whose names are not returned by the companies to which they have respectively belonged, to the Chief Engineer, and by him returned to this Board, be considered as having become vacant. (Vol. 55 of P. C. C., in MSS., p. 32.)

Places of firemen not returned to be considered as vacant.

The Committee on the Fire Department reported, on the 20th of June, 1825, on the subject of constructing public cisterns, and recommending the following resolution, which was adopted :

Resolved, That the Street Commissioner be directed to prepare ordinances for the construction of ten public cisterns, the same to be used on the occasion of fire, by the Fire Department of the city. (Vol. 55 of P. C. C., MSS., pp. 11 and 30.)

Public cisterns to be constructed.

Subsequently, on the 19th December, 1825, ordinances were passed for the construction of five additional cisterns, and the following resolutions were adopted on the 23d of the same month, in consequence of a destructive fire in the Eighth Ward :

Additional cisterns to be constructed.

Resolved, That the Committee on the Fire Department be instructed to inquire into the expediency of filling all the public cisterns with water forthwith.

Cisterns to be filled.

Resolved, That the fire companies be requested to volunteer their services to carry the above into effect.

Prior to any report being made by the Committee on the Fire Department, in relation to cisterns for the better protection from fire, Assistant Alderman Valentine, on the

Public cisterns, the expense thereof to be taken from the

city treasury
when not col-
lected.

30th of January, 1826, presented a resolution that all public cisterns put down, and for the payment of which the money is not collected, and all that shall hereafter be put down, shall become a public charge, and be paid for out of the city treasury.

This was referred to a Special Committee.

On the 27th of February ensuing, the Special Committee not having reported, the Board discharged the said Committee from the further consideration of the subject, and submitted the same to the Committee on Assessments; which Committee reported favorably thereon, debates ensued, and it was not until the 19th of March, 1827 (vol. 60 of P. C. C., MSS., p. 149), that final action was had, which was adverse to the report.

Public cis-
terns con-
structed.

Public cisterns were, however, constructed for the use of the Fire Department, and Assessments levied for the same; seven were ordered by the Common Council on the 2d January, 1827, and eighteen on the 25th of August, 1828.

The following preamble and resolution were adopted on the 19th December, 1825 :

Chief En-
gineer direct-
ed to ascer-
tain the
reason why
many of the
church bells
are not rung.

Whereas, It is manifest that the bells of many churches do not ring on the alarm of fire, thereby endangering the lives and property of the citizens; therefore,

Resolved, That the Chief Engineer be requested to ascertain the cause, that prompt measures may be taken by the Board to correct the same.

Bell-ringers
refuse to ring
church bells

On the 23d of the same month the Chief Engineer reported on the above subject, that the bell-ringers had re-

fused to ring the church bells, and further, that they had entered into an association not to ring the bells unless paid therefor the sum of twenty-five dollars per annum.

unless paid
twenty-five
dollars per
annum.

This report was duly referred to the Committee on the Fire Department, and no report made thereon.

On the 17th March, 1828, the following preamble and resolution, however, were adopted :

Whereas, It has been represented that there are a number of churches in this city whose bells are not rung on the alarm of fire ; and whereas, it is important to the safety of the city that a general notice should be given whenever fire occurs ; therefore,

Church
bells to be
rung.

Resolved, That the managers of said churches be requested to have their bells rung whenever an alarm of fire shall be given.

A resolution was referred to the Committee on the Fire Department, in conjunction with the Chief Engineer, to mature a report to the Board of some more energetic and efficient plan to protect the firemen, when on duty at fires, from the encroachments of the surrounding populace ; on the 30th day of January, 1826 (vol. 56 of P. C. C., MSS., p. 274), the Committee reported the following resolution, which was adopted :

Firemen
in the exer-
cise of their
duties not to
be interrupt-
ed by the
surrounding
crowd.

Resolved, That his Honor the Mayor be requested to address a circular to each of the foremen of the several companies of Fire Wardens, calling their attention to that section of the law pointing out their duty at fires, and that each of them would enforce the same on the members of their companies, and that the penalties which may hereaf-

ter be incurred by the constables and marshals of the city for not attending fires, be enforced.

The above, with the regular attention of the members of this Board at fires, will, in the opinion of your Committee, answer the desired effect.

Fire limits
to be extend-
ed.

The Committee on Applications to the Legislature, pursuant to a resolution adopted on the 1st day of February, 1827, requiring them to inquire into the expediency of extending the fire limits of the city, reported, on the 12th of the same month, and submitted a memorial and law, to be forwarded to the Legislature for the extension of the fire limits to the then remaining portion of the Sixth Ward not subject to the fire laws.

Which report was approved, and the memorial and law ordered to be authenticated in the usual manner, and forwarded to the Legislature. (Vol. 60 P. C. C., MSS., p. 32.)

The above application resulted in the passage of an act by the Legislature, on the 21st of March, 1827 (vide Session Laws), extending the fire limits.

A LAW for preventing and extinguishing fires.

PASSED April 30th, 1827.

Be it ordained by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened :

Fire De-
partment, of
whom to con-
sist.

I. That the Fire Department of the said city shall consist of a Chief Engineer, and as many other engineers, fire wardens, fire-enginemen, hosemen, and hook and ladder-

men, as are or may, from time to time, be appointed by the Common Council ; and who shall be respectively distinguished by the several appellations aforesaid.

II. *And be it further ordained*, That whenever any office in the Engineer Department shall become vacant, it shall be the duty of the engineers to nominate five persons, being firemen of the said city, as suitable persons to supply such vacancy, and to give notice thereof to the foremen of the fire companies respectively, and require them to meet at such time and place as the said engineers shall appoint. And that the said engineers and foremen shall, then and there, or at such other time and place as they may appoint, by joint ballot, designate, from the persons so nominated, by a majority of the votes which shall be given, the person whom they may wish to fill such vacancy.

How vacancies are to be supplied.

III. *And be it further ordained*, That if more than one such vacancy shall exist at the same time, it shall be the duty of the said engineers, after the designation as aforesaid, to add the name of one other fireman to the said list, and the engineers and foremen shall thereupon proceed, by joint ballot, as aforesaid, to designate, from the said list, one other person for the purpose aforesaid ; and a further nomination and designation shall be made, in like manner, for every such additional vacancy.

How to proceed if two or more vacancies exist.

IV. *And be it further ordained*, That it shall be the duty of the Chief Engineer to report the names of the persons who may be so designated to the Common Council, as being the persons designated by the engineers and foremen as suitable persons to be appointed by the Common Council to fill such vacancies.

Chief Engineer to report the names of those designated to Common Council.

V. *And be it further ordained*, That no fire-engine, nor

Engines,
&c., not to go
on sidewalks
without spe-
cial order.

Penalty.

hook and ladder, nor hose-cart shall, in going to or returning from any fire, or at any other time, be run, driven, wheeled, or placed upon any sidewalk, except by the special order of one of the engineers, under the penalty of *twenty-five dollars* for each offense, to be forfeited and paid by, and recovered from any and every person aiding or assisting in, or consenting to the violation of any of the provisions of this section, and if any offense against this section shall be committed by any fireman, he shall, moreover, be removed from his station and office as such fireman.

Engines, &c.,
not to be re-
moved unless
foreman and
assistant
foreman, or
two firemen
are present

VI. *And be it further ordained,* That no such fire-engine, hook and ladder, or hose-cart, during any fire in this city, or any report of fire, or at any time, under any pretense whatever, shall be taken or removed out of its house, unless the foreman or assistant foreman, or as least two of the firemen of the company to which the same shall belong, shall be present and consent thereto, under the penalty of *ten dollars* for every such offense, to be forfeited and paid by, and recovered from any and every person aiding or assisting in, or consenting to the violation of any of the provisions of this section.

Duty of en-
gineers, &c.,
to report vi-
olations.

VII. *And be it further ordained,* That it shall be the duty of the several engineers, and of every foreman and assistant foreman of every fire company, to report all violations of this ordinance to the Treasurer of the Fire Department.

Chief Engi-
neer's duties.

VIII. *And be it further ordained,* That the Chief Engineer shall, in all cases of fire, have the sole and absolute control and command over all the engineers and other persons of the Fire Department; and it shall be the duty of the said Chief Engineer to direct the other engineers to take proper measures that the several fire-engines be arranged in the

FIRE DEPARTMENT.

most advantageous situations, and be duly worked for the more effectually extinguishing of fires. And it shall, moreover, be the duty of the said Chief Engineer to examine, twice in every year, into the condition and number of the fire-engines, fire-buckets, and other fire apparatus, and fire-engine houses belonging to the Corporation, and report the same same, once a year, to the Common Council, together with the names of all the members of the Fire Department, and the respective associations to which they belong. And whenever any of the said fire-engines and other fire apparatus shall require to be repaired, the Chief Engineer, under the direction of the Committee on the Fire Department, shall cause the same to be well and sufficiently done. And it shall, moreover, be the duty of the Chief Engineer to report, in writing, all accidents by fire that may happen in this city, with the causes thereof, as well as they can be ascertained, and the number and description of the buildings destroyed or injured, together with the names of the owners and occupants, to the City Inspector, who shall keep an accurate register of the same.

IX. *And be it further ordained,* That so many of the freeholders or freemen of the said city as the Common Council may deem proper, shall, from time to time, be appointed in each of the wards of the said city, to be denominated Fire Wardens; each of whom shall be assigned and attached by the Mayor of the said city, to such company of firemen, having charge of a fire-engine, as he shall think proper, and shall report himself to the Chief or other engineer, at every fire. And each Fire Warden shall have a certificate, under the seal of the mayoralty, stating his appointment as a Fire Warden, and the company of firemen to which he shall be attached.

Fire Wardens, how appointed.

To be divided into companies, and to make rules and regulations.

X. *And be it further ordained*, That the Fire Wardens of each ward shall form a separate company; and each of the said companies shall and may choose, out of their own number, a foreman and clerk, in such manner, and at such times as they may think proper; and each company may make rules regulating the time and manner of conducting their elections, and imposing such fines upon the members, as, in their judgment, may best secure the performance of the duties of the said Fire Wardens, both at fires, and in visiting the buildings, and other duties in their several districts; and disobedience to such rules shall be reported by each company, to the Common Council, and shall subject the Fire Warden, so disobeying, to removal by the Common Council.

Vacancies, how to be

XI. *And be it further ordained*, That whenever a vacancy shall happen in any of the said companies, the company in which the same may happen, may recommend, through the Chief Engineer, to the Common Council, for approbation, a suitable person to fill such vacancy; but none other than those who have been firemen at least five years shall be so recommended.

Fire Wardens subject to the direction of the engineers.

XII. *And be it further ordained*, That the said wardens, when attending fires, shall be subject to the direction of the Chief Engineer, and the other engineers of the Fire Department.

Duty of Wardens.

XIII. *And be it further ordained*, That it shall be the duty of the said Fire Wardens, immediately on the alarm of fire, to repair to the place where it may be, and aid and assist in procuring supplies of water to the fire-engines to which they shall be respectively assigned and attached, and to such other fire-engines as the Chief Engineer or other engineer may direct them to attend. It shall also be the duty

of the said Fire Wardens to prevent the hose from being trodden on, and to keep all idle and suspected persons at a proper distance from the fire, and from the vicinity, and the citizens are hereby enjoined to comply with the orders and directions of the said Fire Wardens in the premises.

XIV. *And be it further ordained,* That each of the said companies shall divide their ward into districts, and the foreman of the company shall attach one or more of the members of the said company to each of the said districts, for the purpose of making the visitation and examination directed in the next following section; who shall keep a record of the names of the occupants of the houses, and of the members of the same, wherein they shall observe any violations of this law, or act, for the more effectual prevention of fires; and annually in the month of January, exhibit a transcript of the same to their foreman, and said foreman shall report to the Chief Engineer, in the month of June, annually, the name, residence, and occupation of each of the wardens of his company; and to the Common Council all neglects on the part of any of the wardens of his company to comply with the requisitions of this section, and every warden, so neglecting his duty, shall be removed from his office.

XV. *And be it further ordained,* That it shall be the duty of the said Fire Wardens, twice in every year, viz., in the months of June and December, and as much oftener as they may think proper, to examine the dwelling-houses and other buildings in their respective wards, for the purpose of ascertaining all violations of the act for the more effectual prevention of fires in the city of New York, and also to examine the fire-places, hearths, chimneys, stoves, and the pipes thereto, ovens, boilers, kettles, and also all

Wards to
be divided
into inspection
districts.

Wardens
to examine
houses, &c.,
and to give
directions,
&c.

chemical apparatus which, in their opinion, may be dangerous in causing or promoting fires, and also the places where ashes may be deposited ; and, upon finding any of them defective or dangerous, they, or either of them, shall direct the owner or occupant, either by a printed or written notice, to alter, remove, or amend the same, in such manner, and within such a reasonable time as they, or either of them, may judge necessary ; and in case of neglect or refusal so to do, the party offending shall forfeit and pay twenty-five dollars, and for every day after the time allotted as aforesaid to alter, remove, or amend the same, in conformity with the directions aforesaid, the party so offending shall forfeit and pay the further sum of five dollars. And all the expenses of any removal, alteration, or amendment, as aforesaid, shall be paid, in the first instance, by the occupant, but shall be chargeable against the owner of such dwelling-house or other building, and shall be deducted from the rent of the same, unless such expense be rendered necessary by the act or default of such occupant, or unless there be a special agreement to the contrary between the parties. And it shall, moreover, be the duty of the Fire Wardens, or either of them, at such time as aforesaid, to enter into and examine all buildings, livery or other stables, hay-boats or vessels, and places where any gunpowder, hemp, flax, tow, hay, rushes, firewood, boards, shingles, shavings, or other combustible materials may be lodged, and give such directions, in writing, in the premises, as may be deemed necessary by them or him, relating to the removal thereof ; and in case of neglect or refusal on the part of the possessor of such combustible materials, or any of them, to remove or secure the same within the time and in the manner directed by the Fire Wardens, or either of them, the party offending shall for-

feit and pay twenty-five dollars, and the further sum of five dollars for every day's neglect to remove or secure the same after being so notified.

XVI. *And be it further ordained*, That the duties prescribed by the foregoing section shall be performed within each district by the warden or wardens attached to such district, who shall make an immediate report to the foreman, who shall record the same in a book to be kept for that purpose, of all persons neglecting or refusing to comply with the orders and directions aforesaid, together with the circumstances of each case ; and shall also make report whether any, and what cases of violations of the laws of this State, prohibiting the construction of wooden buildings within certain limits of this city, have come to his knowledge ; and in case of any violation of such law, he shall particularly report the name of the owner or owners of the building, and of the master-builder, and the particular circumstances of each case, and in case of neglecting to report as aforesaid, such warden or wardens shall forfeit and pay the sum of ten dollars. But it is hereby expressly declared, that the foreman or any of the wardens of the ward, may give such orders and directions as are authorized and directed in and by the preceding section of this law, in case the same shall not be given by the warden of the district where the danger exists or is apprehended.

Report to
be made to
the foreman

XVII. *And be it further ordained*, That the firemen shall be divided into companies, to consist of as many members as the Common Council shall from time to time direct, to attend to the fire-engines, hose-wagons, and hooks and ladders belonging, or that may hereafter belong to the Corporation of this city, or to such hose-wagons and hooks and ladders as the Common Council shall direct ; and that each

Firemen.

of the companies shall and may choose, out of their own number, a foreman, assistant, and clerk, in such manner, and at such times as they may think proper. And it shall be the duty of the said firemen, as often as any fire shall break out in the said city, to repair, immediately upon the alarm thereof, to their respective engines, hose-wagons, hooks and ladders, and convey them to or near the place where such fire shall happen, unless otherwise directed by the Chief or other engineer; and there, in conformity with the directions given by the Chief Engineer or other engineers, shall work and manage the said engines, or apparatus and implements, with all their skill and power; and when the fire is extinguished, shall not remove therefrom but by the permission of an engineer; and on such permission they shall return their respective hose-wagons, hooks and ladders, engines and apparatus, well washed and cleansed, to their several places of deposit. And for the more effectually perfecting the firemen in their duty, and keeping and preserving the said fire-engines and other implements and apparatus from decay, the said firemen shall, in the months of May, June, July, August, September, October, and November, draw out their said fire-engines and other implements, in order to wash and cleanse them, and to exercise the men; and if any fireman shall neglect the said duty, he shall forfeit and pay for every default the sum of one dollar; and if he shall neglect to attend at any fire as aforesaid, or leave his fire-engine or other apparatus while at any fire, without permission, or shall neglect to do his duty on such occasion, without reasonable excuse, he shall, for every default, forfeit and pay the sum of three dollars; and if any fireman shall neglect to do his duty as such, in attending at fires, or in washing, exercising, managing, trying, or using the said fire-engine,

or other implements or apparatus provided for extinguishing fires, every such person shall, besides the fines and penalties aforesaid, be removed from his station. And whenever any fireman is appointed to supply any vacancy in any company, it shall be his duty to call on the Treasurer of the Fire Department, and procure a certificate, within one month from the date of his appointment, specifying the name and number of the company to which such fireman shall be elected. And any fireman, after being re-elected, shall obtain a new certificate as aforesaid. And it shall be the duty of the Chief Engineer to certify, on every return, whether a vacancy exists in the company.

Removal of
firemen, and
vacancy fill-
ed, for re-
spect of duty.

XVIII. *And be it further ordained,* That in order that the members of the Common Council, Engineers, and Fire Wardens may be more readily distinguished at fires, the Mayor, Recorder, Aldermen, and Assistants, shall severally bear, on those occasions, a wand, with a gilded flame at the top; and each of the engineers shall wear a leathern cap, painted white, with a gilded front thereto, and a fire-engine emblazoned thereon, and shall also carry a speaking-trumpet, painted black, with the words "Chief Engineer," "Engineer No. 1," &c., as the case may be, in white, which shall also be painted on their caps respectively; and each of the Fire Wardens shall wear a hat, with the brim black, the crown painted white, and the city arms blazoned on the front, and shall also carry a speaking-trumpet, painted white, with the word "Warden," in black, painted thereon.

How Alder-
men, Assist-
ants, Engi-
neers, and
Fire Ward-
ens are to be
distinguish-
ed at fires.

XIX. *And be it further ordained,* That the foremen of engine companies, and the firemen shall, when on duty, wear leathern caps, in the form heretofore used; and the said caps shall be painted and distinguished in the manner following, viz: the cap of each foreman shall be painted black,

Caps of
the firemen

with a white frontispiece, and the word "Foreman," with the initials of the name of the foreman, and the number of the engine to which he belongs, painted thereon, in black; the cap of each fireman shall be painted black, with the initials of the name of the fireman, and the number of the engine to which he belongs, painted in front thereof, in white. The foreman of each of the hook and ladder companies shall wear a cap, painted black, with a white frontispiece, and the word "Foreman," and the initials of his name, and the number of the company to which he belongs, and a hook and ladder painted thereon, in black; and each member of the hook and ladder companies shall wear a cap, painted black, with the initials of his name and the number of the company to which he belongs, with a hook and ladder, painted in front thereof, in white; and each foreman of the fire hose companies shall wear a cap, painted black, with a white frontispiece, and the word "Foreman," and the initials of his name, and the number of the company to which he belongs, and a coil of hose painted thereon, in black; and each member of the said fire hose companies shall wear a cap, painted black, with the initials of his name, and the number of the company to which he belongs, with a coil of hose painted thereon, in white. And the assistant to each respective company shall wear a cap, painted in the same manner as that of the foreman of the company, with the word "Assistant," in lieu of the word foreman. *And further*, that it shall be the duty of the Chief Engineer to report to the Common Council the name of every person who shall neglect or refuse to comply with the foregoing requisitions, which said person shall thereupon be removed from his station.

Aldermen,
and Assist-
ants, Fire-

XX. *And be it further ordained*, That the names and places of abode of the members of the Common Council,

Engineers, Fire Wardens, and Foremen of the respective companies, and bell-ringers shall, annually, in the month of June, be printed, and set up in the several watch-houses, by the City Inspector. And whenever any fire shall happen in the night, the watchmen shall give notice to each of the members of the Common Council, Engineers, Fire Wardens, Foremen and bell-ringers within their respective watch districts. And it shall, moreover, be the duty of every watchman, upon the breaking out of any fire, to alarm the citizens by crying fire, and mentioning the street where it may be, so that the firemen and citizens may thereby be generally directed where to repair; and if any watchman shall neglect so to do, he shall forfeit and pay the sum of *one dollar*. And if it shall happen that a chimney only shall be on fire, either by day or by night, the fire-bell at the City Hall, and the bells of the several churches in this city, shall not be rung; but only on occasions where a building shall be proclaimed to be on fire. And it is enjoined on the occupants to place a lighted candle at the windows of their respective buildings, when fire may happen at night, in order that the citizens may pass along the streets with the greater safety.

XXI. *And be it further ordained*, That it shall be the duty of the constables and marshals to repair, immediately on the alarm of fire, with their staves of office, to the place where such fire may be; and it shall be the duty of the constables then and there to report themselves to the high constable; and of the marshals then and there to report themselves to the first marshal, and to conform to such orders as may be given them by the Mayor, Recorder, or any one of the Aldermen or Assistants, for the preservation of the public peace, and the removal of all idle and suspected persons, or others not actually or usefully em-

Wardens and
Bell-ringers,
to be notified
of fires by
the watch-
men.

Constables
and Marshals
to attend
fires.

ployed in aiding the extinguishment of such fire, or in the preservation of property in the vicinity thereof. And if any constable or marshal shall not attend at such fire, or shall neglect so to report himself, or to obey any orders that may be given him as aforesaid, he shall forfeit and pay the sum of *ten dollars* for each offense.

Penalty for
chimneys be-
ing on fire.

XXII. *And be it further ordained*, That if any chimney, stove-pipe, or flue within this city, shall take fire, the occupant of the house to which such chimney, stove-pipe, or flue appertains, shall forfeit and pay *five dollars*.

Carpenters,
&c., to secure
shavings.

XXIII. *And be it further ordained*, That all carpenters and others making or using shavings, shall respectively, at the close of each day, cause the same to be securely stowed in some safe place, remote from danger by means of fire, under the penalty of *five dollars* for each omission so to do.

Of fires in
streets.

XXIV. *And be it further ordained*, That no person shall kindle any fire, nor furnish the materials for any fire, nor in any way authorize or allow any fire to be made in any street, road, or lane, or on any pier or bulkhead in this city, except for the purpose of boiling tar, which fire shall not be more than six feet from the bulkhead or the end of the pier, under the penalty of *ten dollars* for every such offense.

Hay and
straw, how
to be placed.

XXV. *And be it further ordained*, That no person shall have, put, or keep any hay or straw, uncovered, in any stack or pile, or in any other way exposed, within one hundred yards of any building to the southward of Fourteenth street, or shall have, put, or keep, to the southward of said line, any hay, straw, hemp, flax, shavings, or rushes, in any building not built of stone or brick, and covered with tile or slate, or other fire-proof materials, which is or shall be within ten feet of any dwelling-house or chimney whatsoever, under

the penalty of *twenty-five dollars* for every such offense, and the further penalty of *ten dollars* for every twenty-four hours the same shall so remain, after a printed or written notice has been given, to the owner or person having charge thereof, by any Fire Warden, to remove the same.

XXVI. *And be it further ordained*, That no owner or occupant of any stable within this city, or any person in the employment of such owner or occupant, shall use therein any lighted candle or lamp, except the same shall be securely kept within a lantern, under the penalty of *ten dollars* for every such offense. Candles, how to be used in stables.

XXVII. *And be it further ordained*, That all the fines, penalties, and forfeitures imposed by this law for not attending fires, and for not attending the meetings for washing the fire-engines and for exercising the men, shall, when received, be paid to the treasurers of the respective companies aforesaid, in which the delinquencies may happen, for the use and benefit of said companies; and that all the other fines, penalties, and forfeitures imposed by this law, shall, when recovered, be paid to the Treasurer of the "Fire Department of the City of New York," for the use and benefit of the said Fire Department. And further, that the Chief Engineer shall, annually, on the second Monday of December, in each year, report to the Common Council the amount of the sums which may be received by the said Fire Department of the City of New York, and the application thereof. Penalties, how appropriated.

XXVIII. *And be it further ordained*, That it shall be lawful for the Fire Department of the City of New York, and for the respective companies before mentioned, or persons duly authorized by them, to receive, sue for, and recover, in the name of the Mayor, Aldermen, and Com- Penalties, how recovered.

monalty of the City of New York, all the fines, penalties, and forfeitures hereby imposed, which shall be appropriated for their respective uses as aforesaid.

Firemen
not to be
elected un-
der a certain
age.

XXIX. *And be it further ordained*, That no person shall be elected a fireman until he shall have attained the age of twenty-one years ; and that it shall be the duty of the foremen of the respective fire companies, when they report to the Chief Engineer the names of the persons elected firemen, to certify that the persons so elected are at least twenty-one years of age.

Certificater.

XXX. *And be it further ordained*, That it shall be the duty of the Clerk of the Common Council to furnish the certificates, required to be furnished to the firemen, without fee or reward.

Fire limits
to be extend-
ed.

A memorial and bill, on the 14th January, 1828, were ordered to be authenticated by the Common Council, and presented to the Legislature, extending the fire limits over the Seventh Ward ; various petitions and remonstrances were urged by the Seventh Ward subsequently, and a second order was made by the Common Council on the 24th March, 1828, to make application to the Legislature to include the Seventh Ward within the fire limits, but such bill was not enacted by the Legislature.

Term of
service of
firemen re-
duced to
seven years.

A resolution that the term of service of our firemen be reduced to seven years was referred to the Committee on Applications to the Legislature, on the 11th August, 1828. On the 6th of October, of the same year, the firemen of the city petitioned to have the term of service reduced from ten to seven years ; which was referred to the same Committee, who reported on the 26th of January, 1829. The report

was laid on the table at that time. A resolution was presented and referred, at the same meeting, to limit the number of years to seven, and to allow ——— dollars to every member becoming exempt, and discharge him from all except jury duty.

The Committee reported again on the 9th February, 1829 (vol. 67 P. C. C., p. 38), with the following resolution, which was approved :

Resolved, That the Counsel of the Board prepare a law, and cause the same to be presented to the Legislature for enactment, providing that all persons who shall become firemen after the 1st of February, inst., shall be required to serve but seven years, and that all present members having served seven, eight, or nine years, shall be required to serve but one year more, and all present members having served six years, or a less term than six years, be required to serve so much longer as shall make up their whole term of service to eight years.

The Counsel, on the 16th of February, 1829, presented the draft of an act entitled "An act to amend an act entitled An Act granting Privileges to the Firemen of the City of New York," passed April 12th, 1816, which was forwarded to the Legislature, with a suitable memorial, duly authenticated, and was passed by the Legislature on the 4th of April, 1829.

On the 8th December, 1828, Jameson Cox, Esq., then Chief Engineer of the Fire Department, tendered his resignation in consequence of ill health ; which was accepted. The Common Council, on the 4th ballot, elected Uziah Wenman to fill the vacancy. (Vol. 66 P. C. C., MSS., p. 108.)

J. Cox resigned as Chief Engineer, and U. Wenman appointed.

The following resolution was adopted on the 26th of January, 1829 :

Water and
Fire Depart-
ment Com-
mittees unit-
ed.

Resolved, That the Special Committee on Water be added, in connection with the Committee on the Fire Department, on the subject of a sufficient supply of water to extinguish fires. (Vol. 66 of P. C. C., MSS., p. 308.)

The following resolution was adopted on the 26th of January, 1829 :

Supply en-
gine compa-
ny No. 1.

Resolved, That no person shall be permitted to become a member of Supply Fire Engine Company No. 1, who has not served five years in the Fire Department of this city.

This resolution was repealed on the 8th of February, 1830, in consequence of the passage of the act reducing the time of service of firemen from ten to seven years.

Fire limits
extended.

Various bills and memorials were authenticated and directed to be sent to the Legislature, in relation to extending the fire limits; one to extend the same over all the Seventh and Fourteenth Wards, was ordered on the 2d of March, 1829; also one to extend the fire limits north as far as Spring street, from Broadway, west, to the river; ordered February 23, 1829.

Accordingly, the law of May 1st, 1829, was enacted, and on its presentation to the Common Council, was referred to the Committee on the Fire Department, to ascertain or express an opinion when it became operative, in 1829 or 1830. The Committee reported on the 18th of May, 1829, that as no resolution which the Common Council might adopt could have any influence (the construction of the law being a matter exclusively pertaining to the Judiciary), it was not expedient that they should express any opinion on the subject.

A report, signed by Messrs. Isaac Brown, Stevens, Benjamin M. Brown, Palmer, and Engs, Committee on the Fire Department, adopted on the 16th March, 1829, in relation to the supply of water for the purpose of extinguishing fires, &c., states, that, owing to the supply of water for culinary purposes being of a quality much superior to that supplied by the Manhattan Company, citizens residing in the upper part of the city are unwilling to take the Manhattan water, hence no water pipes laid in all that part of the city lying above Grand street, or Pearl street on the east side of the city, and therefore no protection is afforded for the purpose of extinguishing fires. The Committee also state that "Another mode of supplying is by cisterns, and this, to a certain extent, is already in operation. The Corporation has at present forty public cisterns, which have cost, on an average, six hundred dollars each, making, in all, a cost of at least twenty-four thousand dollars. They usually contain one hundred hogsheads each. Now, to provide for the section of the city between Fourteenth and Grand streets, on Broadway and Fourteenth and Pearl streets, on Chatham street, on the east side of the city, by cisterns, would require the construction of at least sixty additional cisterns, supposing that each one thousand feet square required a cistern, and if we estimate them at six hundred dollars each (including expenses of assessments), it will make the sum of thirty-six thousand dollars. The cisterns would probably not last longer than from twenty to twenty-five years, and would require considerable expense in repairs of leaks, and for leaders, &c., during that time. Your Committee have come to the conclusion to recommend to the Board the laying down of two lines of iron pipe for the security against fires of the section of the city above described."

The Committee proposed to lay one line of tubes from about Fourteenth street, through the Bowery, to its termination with Chatham street, a distance of six thousand five hundred feet, and also a line of tubes, commencing at the same place, through Broadway to Canal street, a distance of five thousand five hundred feet. The diameter of the tubes to be twelve inches, the cost of the tubes to be one dollar and fourteen cents per foot, or six thousand and twenty dollars per mile; the expense of laying down to be eighty-six cents per foot, or four thousand six hundred and forty dollars per mile. The distance of these two lines to be about twelve thousand feet, or two and one-fourth miles, and the aggregate expense of laying down tubes, and five hundred dollars for plugs or hydrants, to amount to twenty-four thousand five hundred dollars. The Committee further state that "The expense of a wooden reservoir, containing two thousand hogsheds, equal to twenty cisterns, is estimated to cost not exceeding one thousand five hundred dollars, making, in all, twenty-six thousand dollars. It is believed that the power of a single horse will be sufficient to pump the water into the reservoir, and the annual expense of a horse and man ought not to exceed seven hundred dollars. Your Committee are of opinion that water sufficient for the purpose of extinguishing fires may be obtained anywhere about the part of the city referred to. In fact, there are wells already dug which would fill the tubes and reservoirs; and as it is contemplated to use the water only for fires, there would be no constant demand, excepting to supply the waste water."

The Committee deemed that the laying of said pipes as aforesaid, though at considerable distance from the East and North Rivers, would be, nevertheless, sufficient for the

purpose of extinguishing fires, from the fact of the gradual descent of the ground towards each river; although the Committee remark that, hereafter, if additional security is required, small tubes, of six inches diameter, may be laid down, to subdivide the sections referred to. The Committee go on to state that the proposed plan would go to reduce the labor of firemen, and make their duty comparatively light; and that in their opinion the Fire, as a volunteer Department, could not be upheld in our extended city, without reducing the excessive labor of procuring water.

On the 20th April, 1829, the following resolution was adopted:

Resolved, That the contract made by the Committee on the Fire Department, in behalf of the Mayor, Aldermen, and Commonalty, with Mark Richards, of Philadelphia, for iron pipes and castings, be authenticated during the recess of the Board, in the usual manner.

Contract for
iron pipes
authenticated.

The following resolution was presented and referred on the 14th July, 1829:

Resolved, That it be referred to the Committee on Supplying the City with Water, to report upon the expediency of offering a premium of five hundred dollars for the best plan for supplying the city with pure and wholesome water, to be approved of by said Committee.

Five hundred
dollars
premium for
plans for supplying
water.

The Committee on the Fire Department reported on the 16th November, 1829, that although they had excavated only fifty feet in depth at Thirteenth street, yet the quantity of water would be sufficient to fill the reservoir and pipes, as it is estimated that seventy hogsheads of water are issued in a day; that the cast-iron tank was received from

Reservoir
at 13th st.

Philadelphia, and that the same should be inclosed with a brick or wooden building; the cost of the former being estimated at three thousand five hundred dollars, and of the latter two thousand dollars.

Which report was agreed to.

In relation to procuring water for the extinguishment of fires, the following resolution was presented and referred on the 16th November, 1829 :

Commissioner to make estimates for supplying city with water.

Resolved, That a competent practical man be appointed and employed to act as a Commissioner or Agent for the Common Council, to procure information, and to make plans and estimates for supplying the city (abundantly) with pure and wholesome water; said Commissioner, or his successor, to be continued as Superintendent of this highly important public business.

The Water Committee was also directed to explore the Croton and other rivers for procuring a supply of water.

Nevertheless, assessments for sixteen more public cisterns were presented for confirmation to the Common Council on the 7th December, 1829.

From a report made by the Committee on the Fire Department, on the 19th April, 1830, the following extracts are taken :

That they have caused to be erected on the public ground, on the corner of Bowery and Thirteenth street, a stone tower, forty-four feet diameter and twenty-seven feet high, on which there is now putting up an iron tank of forty-three feet diameter and twenty feet high, which will con-

tain three hundred and five thousand four hundred and twenty-two gallons of water; that the line of twelve-inch iron pipes are completed from the reservoir, through Thirteenth street and Broadway to Canal street; and the line is nearly completed through the Third avenue and the Bowery to Catharine street. * * *

The whole will comprise thirty fire-plugs, six stop-cocks, and eighteen thousand and sixty feet of iron pipes, containing one hundred and eight thousand three hundred and sixty gallons of water, capable of being thrown sixty feet above the surface of the highest elevation of the streets.

* * * That they have caused a well to be dug eighteen feet diameter and seventy feet deep. * *

The greatest quantity at any time in the well is estimated at one hundred and six thousand nine hundred and eighty gallons of water, * * * and that a steam-engine would be available.

The Committee were thereupon authorized to procure a steam-engine, at a sum not to exceed five thousand five hundred dollars.

The following resolution was adopted on July 13th, 1829:

Resolved, That the captains of each watch district be directed to instruct the watchmen under their direction to cause every alarm of fire to be made as general as possible, by crying aloud the name of the street or part of the city where the fire may be. (Vol. 69 P. C. C., MSS., p. 26.)

Watchmen
to cry aloud
in case of fire.

The Committee on Applications to the Legislature made a

Dwellings,
&c., how con-
structed.

report on the 15th of February, 1830, and presented a form of a law for the more effectual prevention of fires in the city of New York. The law was taken up by sections, and a number of said sections approved on the 15th of February, and the remainder on the 1st of March, 1830, the bill was engrossed, authenticated, and forwarded to Albany; this bill relates more particularly to the construction of dwellings, stores, &c., and is one of the most important of the State laws relative to the prevention of fires in the city of New York. It was enacted by the Legislature on the 20th April, 1830. (Vide Laws of the State, 53d Session, chap. 291.)

The following is an ordinance relative to injuries to hydrants:

Be it ordained by the Mayor, Aldermen, and Commonalty of the City of New York, as follows:

Hydrants
not to be in-
jured.

Any person not being the Chief Engineer, nor engineer nor foreman of a fire company, who shall unscrew any or either of the hydrants belonging to the Corporation water-works, erected for the extinguishment of fire, or who shall interfere with the same, or any part of the works belonging to said establishment, whereby the said establishment, or any or either of the pipes, hydrants, stop-cocks, or any part of the works may be injured, or the water taken therefrom or wasted, shall be liable to a penalty of fifty dollars for each and every such offense; and it shall be the duty of the Corporation Attorney to prosecute all offenders under this law.

Penalty.

Passed October 11, 1830. (Vol. 73 P. C. C., MSS., p. 166.)

On the 15th November, 1830, the following resolution was adopted :

Resolved, That the 11th section of the 14th chap. of the ordinances of the Common Council (passed 1827), be amended so as to read, "but none other than those who have been firemen at least three years, shall be so recommended."

Fire Ward-
ens to be ap-
pointed from
firemen who
have served
three years.

*A LAW to amend a law passed 30th April, 1827, entitled
"A Law for Preventing and Extinguishing Fires."*

PASSED January 10th, 1831.

*Be it ordained by the Mayor, Aldermen, and Commonalty of
the City of New York, in Common Council convened :*

§ 1. That every fireman hereafter recommended through the Chief Engineer to the Common Council, as a suitable person to be appointed a Fire Warden, shall be at the time of such recommendation *an actual resident and inhabitant of the ward for which such return shall be made.*

§ 2. *Be it further ordained*, That in case any *Fire Warden*, appointed after the passage of this ordinance, shall remove from the ward to which he shall have been appointed, the said office shall be deemed vacant, and the Chief Engineer shall notify the company of Fire Wardens to proceed to fill the vacancy thus made. (Vol. 74, P. C. C., MSS., p. 132.)

The following resolutions were adopted on the 28th of February, 1831 :

Resolved, That the Counsel of the Board prepare a memorial to the Legislature, setting forth the wants of the city in relation to a full and ample supply of water, as necessary for the safety of the city against fire, and to be of a pure and wholesome quality, as necessary for the preservation of the health and lives of our fellow-citizens; also, that the Manhattan Company, although chartered in the year 1799, for the express and apparently *sole* purpose of furnishing the city these inestimable blessings, have not, in the opinion of the Common Council, complied with the conditions of their charter, and stating that, under such circumstances, it has become necessary for the Corporation to do that which the Manhattan Company have failed to perform; and that there exist powers in the act relating to this Company, authorizing them to take, by process of law, all streams of water, and to divert water-courses from their natural channels, and also, in like manner, to possess themselves of other property; which powers the Manhattan Company have wholly failed to use, therefore asking a repeal of the said powers now vested in said Company, and the vesting, exclusively, all such powers for the purpose aforesaid, in the Corporation of the City of New York. (Vol. 74 P. C. C., MSS., p. 320.)

The various memorials to the Legislature in relation to pure and wholesome water, resulted in the passage of the acts of May 2d, 1834, and May 25th, 1836, and the final establishment of the Croton Aqueduct. (For a further and complete history of the Croton Aqueduct, see a memoir of the construction, cost, and capacity of the Croton Aqueduct, by Charles King.)

1831.

A LAW forming a hydrant fire company.

Be it ordained by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened :

§ 1. That a company shall be organized, to consist of a foreman, assistant, and clerk, and twenty men, to be fire-^{Hydrant} ^{fire} ^{compa-} ^{ny.} men and hydrantmen; and it shall be their duty, on an alarm of fire, to proceed to the hydrants, and see to the water being properly let out, and that the hydrants are not injured, and that they are properly secured and put in order after the fire is extinguished; and also to see that the stop-cocks are kept in order, and generally to attend to the engines being supplied with water from the reservoir, and to report all injuries and defects which they may discover in any part of the works, to the Chief Engineer; and that the caps of said company shall be painted black, and the words hydrant company on the frontispiece thereof.

§ 2. *And be it further ordained,* That the said company shall have the like power with other firemen, to make by-laws for their own government, and such regulations as will more particularly insure the performance of their duties not defined in this law; provided that no individual shall be appointed a hydrantman in said company, unless he is an exempt fireman.

Passed by the Board of Aldermen, June 8, 1831.

Passed by the Board of Assistant Aldermen, June 11, 1831.

Approved by the Mayor, July 16, 1831.

AN ACT *continuing the Laws now in force.*

Be it ordained by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened :

That all the laws and ordinances of the Common Council now in force, be, and the same are hereby re-ordained and re-enacted, and to remain in force until repealed or modified, or until they expire by operation of law.

Passed by both Boards, September 19, 1831.

Approved by the Mayor, September 21, 1831.

A LAW *creating a Fire and Building Department, and prescribing the duties of the officers thereof.*

Be it ordained by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened :

§ 1. That there shall be created and organized a Fire and Building Department.

Fire and
building De-
partment.

§ 2. *And be it further ordained,* That three discreet and proper persons shall be appointed to superintend the Fire and Building Department, to be called and known as the Commissioners of the Fire and Building Department, and that the said Commissioners shall be a Superintendent of Buildings, Chief Engineer, and Commissioner of the Fire Department.

§ 3. *And be it further ordained,* That it shall be the duty of the Superintendent of Buildings to advertise for esti-

mates for all public buildings which may hereafter be erected under the authority of the Common Council, for all repairs which may be required for the public buildings now in use, or which are now erecting, or may be hereafter erected by the Corporation (except slight repairs), for the building of new engines, under the authority of the Common Council, and for all other subjects connected with building and repairs, which are not embraced in other departments, and in conjunction with the Chief Engineer, and Commissioner of the Fire Department, to present such estimates to the Common Council for their approbation, previous to furnishing contracts for the same ; to examine and supervise all public works which are in progress, and which are connected with the Fire and Building Department, and to suggest to the Commissioner of the Fire Department all subjects connected with the same, which, in his opinion, are necessary.

§ 4. *And be it further ordained,* That it shall be the duty of the Chief Engineer to report the names of persons who may be designated by the engineers and foremen as suitable persons to be appointed by the Common Council to fill such vacancies as may occur in fire companies ; in all cases of fire, to have the sole and absolute command and control over all the engineers, and other members of the Fire Department ; to direct the other engineers to take proper measures that the fire-engines be suitably arranged and duly worked ; to examine, once in every month, into the condition and number of the fire-engines and buckets, and other fire apparatus, and fire-engine houses, and report the same to the Common Council twice in every year ; and whenever any of the said fire-engines, and other apparatus, shall be required to be repaired, or new ones built, it shall be the duty of the Chief Engineer, personally, to inspect

Duty of
Chief.

the building of the same, to report, in writing, all accidents by fire, with the probable causes thereof, and the number and the description of the buildings destroyed or injured, together with the names of the owners or occupants, to the City Inspector, who shall keep an accurate register of the same, and to suggest to the Board of Commissioners of the Fire and Building Department any improvements which, in his opinion, can be made in the Fire Department; and that he shall be required to attend at the office of the Department.

Water pipes. § 5. *And be it further ordained,* That it shall be the duty of the Commissioners of the Fire Department to give their personal attention and supervision to the laying down of all such water pipes as the Common Council may direct; to take charge of the reservoir and water establishment in Thirteenth street; to see that the hydrants are in order, and generally to supervise and direct all the subjects connected with a full and ample supply of water for the extinguishment of fires.

Bills to be audited by Commissioners. § 6. *And be it further ordained,* That it shall be the duty of the said Commissioners of the Fire and Building Department to examine, and if found correct, to sign all bills for expenditures connected with said Department, which bills shall not be audited by the Comptroller, except countersigned by a majority of said Commissioners; also to suggest to the Common Council, from time to time, all subjects connected with said Department which may be deemed important, and to report to the Attorney of the Common Council any infraction of the laws and ordinances connected with the same.

Commissioners sworn. § 7. *And be it further ordained,* That the Commissioners of the Fire and Building Department shall be sworn to

the faithful performance of their duties, and shall each give bonds, with sufficient surety or sureties, to be approved of by the Common Council, in the penal sum of five thousand dollars, faithfully to perform such duties.

§ 8. *And be it further ordained,* That all the laws and ordinances of the Common Council in relation to building and repairs, and the duties of the Superintendent of Repairs, in relation to the Fire Department, which are not inconsistent with the provisions of this ordinance, shall not be construed as modified, repealed, or affected thereby, but shall continue and remain in full force.

Passed by the Board of Assistant Aldermen, September 26, 1831.

Passed by the Board of Aldermen, October 3, 1831.

Approved by the Mayor, October 5, 1831.

1832.

Resolved, That the third section of the laws for preventing and extinguishing fires be so amended, in the third line, as to read, "of the engineers and foremen."

Adopted by the Board of Assistant Aldermen, November 21, 1831.

Adopted by the Board of Aldermen, December 28, 1831.

Approved by the Mayor, January 3, 1832.

Fire limits.

Resolved, That it is expedient so to extend the fire limits as to include all that part of the city contained within the following description, viz.: beginning on West street, one hundred feet northerly from Spring street, and running thence, northerly, along West street to Bank street; thence, easterly, through Bank street to Greenwich lane; thence, southerly, through Greenwich lane, to the east side of the Sixth avenue, at a point distant northerly, one hundred feet, from Eighth street; thence, westerly, along the Sixth avenue to a line distant, southerly, one hundred feet from Amity lane; thence, easterly, and parallel with Amity street, to a line distant, westerly, one hundred feet from Greene street; thence, southerly, and parallel with Greene street, to a line distant one hundred feet, northerly, from Spring street; and thence, westerly, and parallel with Spring street, to West street, at the place of beginning. Also, beginning at the Bowery, one hundred feet

northerly from Rivington street, and running thence, northerly, along the Bowery, to a line distant, southerly, one hundred feet from North street; thence, easterly, and parallel with North street to Orchard street; thence, southerly, along Orchard street to a line distant one hundred feet, northerly, from Rivington street; and thence, westerly, and parallel with Rivington street, to the Bowery, at the place of beginning.

Resolved, That the Counsel to the Corporation be directed to make the necessary application to the Legislature to carry into effect the preceding resolution; the law to take effect on the first day of August next.

Adopted by both Boards, March 19, 1832.

Approved by the Mayor, March 22, 1832.

Resolved, That the Committees of the two Boards on ^{Fire and Water Com-} Fire and Water, hereafter be a Joint Committee on all ^{mittees to be} joint. subjects referred to them by either Board.

Adopted by the Board of Assistant Aldermen, April 9, 1832.

Adopted by the Board of Aldermen, April 16, 1832.

Approved by the Mayor, April 19, 1832.

Resolution as to a proviso in the law entitled, "A law forming a hydrant fire company."

Resolved, That the proviso contained in the law entitled, ^{Proviso re-} repealed. "A law forming a hydrant fire company," approved July 16, 1831, be and the same is hereby repealed, and that no

individual shall be appointed a hydrantman in the hydrant company, unless he shall have served as a fireman for at least three years.

Adopted by the Board of Assistant Aldermen, April 23, 1832.

Adopted by the Board of Aldermen, April 30, 1832.

Approved by the Mayor, May 5, 1832.

Resolution relative to the Fire Wardens of the Ninth and Fifteenth Wards.

Division of
Fire Wardens
of the Ninth
Ward.

Resolved, That the Fire Wardens of the Ninth Ward be divided, by electing such of them as reside in the Fifteenth, to be Fire Wardens of said Ward; and that the present members of said Ninth Ward company proceed to fill the vacancies from the Ninth and Fifteenth, to fill both companies, and that the same be presented to the next joint meeting.

Resolved, That a copy of the above resolution be served on Fire Warden Company, Ninth Ward.

Adopted by the Board of Aldermen, April 23, 1832.

Adopted by the Board of Assistant Aldermen, April 30, 1832.

Approved by the Mayor, May 5, 1832.

A LAW relating to Estimates of the Street Commissioner's and Fire and Building Departments.

Be it ordained by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened:

That such parts of the ordinance, entitled, "A law cre-

ating a Street Commissioner's Department, and prescribing the duties of the Street Commissioner, Assistant Street Commissioner, and Superintendent of Wharves and Piers," and such parts of the ordinance, entitled, "A law creating a Fire and Building Department," as require the Street Commissioners, and the Commissioners of the Fire and Building Department, to report the estimates for the objects embraced by their respective departments, to the Common Council, previously to completing contracts for the same, be, and the same are hereby repealed.

And be it further ordained, That the Street Commissioner, previously to entering into contracts for objects embraced by his Department, shall submit the estimates for such objects to Committees of the Board of Aldermen and Board of Assistant Aldermen, for their approbation, to wit: (estimates for wells and pumps, and paving and repaving streets, to the Committee on Streets; estimates for canals and sewers, and constructing roads, to the Committee on Roads and Canals; estimates for building wharves and piers, to the Committee on Wharves and Public Lands and Places;) and the Commissioners of the Fire and Building Department shall, previously to entering into contracts for objects embraced in their Department, subject their estimates for such objects to the Committees on Public Offices and Repairs, of the Board of Aldermen and Board of Assistant Aldermen, for approbation.

Passed by the Board of Aldermen, February 6, 1832.

Passed by the Board of Assistant Aldermen, April 30, 1832.

Approved by the Mayor, May 2, 1832.

A LAW to amend "*A law for preventing and extinguishing fires,*" passed April 30, 1827.

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

Expelled
members not
eligible.

§ 1. That any fireman having been found guilty of an offense against the ordinances of the Common Council, and having thereby resigned, or been expelled, shall not be eligible to an appointment in any company from which he may have been so expelled, nor re-appointed a fireman in any case.

Washing
apparatus re-
pealed.

§ 2. That so much of the seventeenth section of the law hereby amended, as directs the firemen to draw out the fire-engines and the implements, in order to wash and cleanse them, and to exercise the men, be, and the same is hereby repealed ; *Provided, however,* this section shall not apply to any fire company attached to an engine not located within the lamp and watch district.

§ 3. That all firemen attached to a fire-engine, hose, or hook and ladder company whose machine and implements shall have been ordered to the Corporation yard, for want of a sufficient complement of men to manage the same, shall, at every fire, report themselves to the Chief Engineer, or to an engineer in command, and be subject to his order and direction, and perform their duty as firemen; and for every default thereof, each fireman shall forfeit and pay the sum of three dollars.

Engines not
to be let.

§ 4. That no fire-engine shall be let out for hire, or lent, in any case, without permission from the Alderman or Assistant Alderman of the ward wherein it is wanted to be

used; and the Chief Engineer, in default thereof, and the firemen so offending, shall be removed from the Fire Department.

Passed by the Board of Aldermen, June 15, 1832.

Passed by the Board of Assistant Aldermen, June 25, 1832.

Approved by the Mayor, July 3, 1832.

A LAW to protect the engine leaders and hose from getting injured at fires.

Be it ordained by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened :

§ 1. That all carts, engines, stages, and carriages, of every description, are hereby prohibited from running over the hose or leaders at fires, under the penalty of five dollars for each and every offense, which fine or penalty shall be collected by the Corporation Attorney, from the owner of said cart, stage, or carriage, or of the officers of said engine, hook and ladder, or hose company, that has committed the offense; and the whole of said penalty, when received, shall be paid over by the said attorney to the Treasurer of the Fire Department Fund.

Hose to be protected.

Passed by the Board of Assistant Aldermen, September 24, 1832.

Passed by the Board of Aldermen, October 3, 1832.

Approved by the Mayor, October 6, 1832.

Resolution concerning instructions of Captains of the Watch to their respective men, as to engine-houses.

Resolved, That the several Captains of the Watch give special instructions to the respective watchmen having an engine-house on his post, to report whether the same is not occupied or frequented by boys at all hours of the night, and report the same to this Board, so that some provision may be made to remedy the evil.

Adopted by the Board of Aldermen, December 10, 1832.

Adopted by Board of Assistant Aldermen, December 28, 1832.

Approved by the Mayor, December 31, 1832.

1833.

Resolution that Captains of the Watch report in all cases of fire, when the church bells do not ring, &c.

Resolved, That the Captains of the Watch report to his ^{Church} bells. Honor the Mayor all cases where the church bells are not, or do not ring on the alarm of fire; also, that they be directed to enforce the law relative to the watchmen calling out the street, or between what streets the fire is; and in case of default by any watchman in the premises, that the captain shall, forthwith, report him or them to the Mayor, for dismissal.

Adopted by the Board of Aldermen, January 7, 1833.

Adopted by the Board of Assistant Aldermen, January 14, 1833.

Approved by the Mayor, January 17, 1833.

Resolution authorizing Captains of Sub-watch to place two additional men in the cupola of tower of Delancey and Attorney streets, &c.

Resolved, That the Captain of the Sub-watch house, at ^{Bell-ringers.} the corner of Delancey and Attorney streets, be ordered and directed to have two more men, and place one of them in the cupola of the same every night, to look for fires, and give the alarm, by ringing the bell, and hang out of the window a pole, with a lantern on the end, in the direction of the fire, that the firemen and the citizens may know in which direction the fire is: and also to strike the bell the different hours through the night.

Adopted by the Board of Assistant Aldermen, January 2, 1833.

Adopted by the Board of Aldermen, January 21, 1833.

Approved by the Mayor, January 28, 1833.

AN ORDINANCE *to empower the Committee on Fire and Water to take engines, &c., from fire companies.*

Be it ordained by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened :

§ 1. That the Committee on Fire and Water, under the advice of the Chief Engineer, shall be authorized and empowered to take any fire-engine, hook and ladder, or hose-truck from the company, and place the same in the public yard, or give the same to some other company.

§ 2. That the members of every company from whom their engine or truck shall be taken as aforesaid, shall report themselves, at every fire, to the Chief Engineer, or acting engineer, for the time being, and perform such duty as he shall prescribe; in default whereof they shall be deemed guilty of a neglect of duty, for which they shall be removed from the Fire Department by the Common Council.

Adopted by the Board of Aldermen, February 18, 1833.

Adopted by the Board of Assistant Aldermen, March 6, 1833.

Approved by the Mayor, March 7, 1833.

Application
to extend fire
limits.

Resolved, That the Counsel be directed to forward to the Legislature a law extending the fire limits over that part

of the city embraced in the following boundaries, to wit: beginning on Orchard street, one hundred feet north of Rivington street, and running thence, northerly, along Orchard street, to North street; thence, westerly, along North street to a line distant one hundred feet, easterly, from the First avenue, and parallel thereto; thence, northerly, along the last-mentioned line to Second street; thence, easterly, along Second street, to North street; thence, still easterly, along North street to the East river, at Tompkins street; thence, southerly, along the easterly side of Tompkins street, to a line distant, northerly, one hundred feet from Rivington street, and parallel thereto; and thence, westerly, to the place of beginning; to take effect after the first day of August next.

Adopted by the Board of Assistant Aldermen, March 26, 1833.

Adopted by the Board of Aldermen, April 1, 1833.

Approved by the Mayor, April 4, 1833.

A LAW for preventing and extinguishing fires.

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows:

§ 1. The Fire Department of the said city shall consist of a Chief Engineer, and as many other engineers, fire-wardens, fire-enginemmen, hosemen, and hook and ladder-men, as are or may, from time to time, be appointed by the Common Council; and who shall respectively be distinguished by the several appellations aforesaid.

Fire Department, of whom to consist.

§ 2. Whenever any office in the Engineer Department

Vacancies, how filled. shall become vacant, it shall be the duty of the engineers to nominate five persons, being firemen of the said city, as suitable persons to supply such vacancy, and to give notice thereof to the foremen of the fire companies respectively, and to require them to meet at such time and place as the said engineers shall appoint. And the said engineers and foremen shall, then and there, or at such other time and place as they may appoint, by joint ballot, designate, from the persons so nominated, by a majority of the votes which shall be given, the person whom they may wish to fill such vacancy.

How to proceed when two or more vacancies exist. § 3. If more than one such vacancy shall exist at the same time, it shall be the duty of the said engineers, after the designation of one person as aforesaid, to add the name of one other foreman to the said list, and the engineers and foremen shall thereupon proceed, by joint ballot, as aforesaid, to designate, from the said list, one other person for the purpose aforesaid; and a further nomination and designation shall be made, in like manner, for every such additional vacancy.

Duty of Chief Engineer to report names of those designated to Common Council. § 4. It shall be the duty of the Chief Engineer to report the names of the persons who may be so designated, to the Common Council, as being the persons so designated by the engineers and foremen, as suitable persons to be appointed by the Common Council to fill such vacancies.

Engineers, &c., not to go on sidewalks without special order. § 5. No fire-engine, nor hook and ladder, nor hose-cart shall, in going to or returning from any fire, or at any other time, be run, driven, wheeled, or placed upon any sidewalk, except by the special order of one of the engineers, under the penalty of *twenty-five dollars* for each offense, to be forfeited and paid by every person aiding or assisting in, or consenting to the violation of any of the

provisions of this section, to be recovered by the Attorney of the Common Council, for the use of the Corporation.

§ 6. No such fire-engine, hook and ladder, or hose-cart, during any fire in this city, or any report of fire, or at any time, under any pretense whatever, shall be taken or removed out of its house, unless the foreman or assistant-foreman, or at least two of the firemen of the company to which the same shall belong, shall be present and consent thereto, under the penalty of *ten dollars* for every such offense, to be forfeited and paid by, and recovered from any and every person aiding and assisting in, or consenting to the violation of any of the provisions of this section.

Engines, &c., not to be removed unless foreman or assistant foreman, or two firemen present.

§ 7. It shall be the duty of the several engineers, and of every foreman and assistant foreman of every fire company, to report all violations of this ordinance to the Fire Department.

Duty of engineers, &c., to report.

§ 8. The Chief Engineer shall, in all cases of fire, have the sole and absolute control and command over all the engineers and other persons of the Fire Department; and it shall be the duty of the said Chief Engineer to direct the other engineers to take proper measures that the several fire-engines be arranged in the most advantageous situations, and be duly worked for the effectual extinguishing of fires. And it shall, moreover, be the duty of the said Chief Engineer to examine, twice in every year, into the condition and number of the fire-engines, fire-buckets, and other fire apparatus, and fire-engine houses belonging to the Corporation, and report the same, once a year, to the Common Council, together with the names of all the members of the Fire Department, and the respective associations to which they belong; and whenever any of the said fire-engines and other fire apparatus shall require to be

Chief Engineer, duty of.

repaired, the Chief Engineer, under the direction of the joint Committee on Fire and Water, shall cause the same to be well and sufficiently done. And it shall, moreover, be the duty of the Chief Engineer to report, in writing, all accidents by fire that may happen in this city, with the causes thereof, as well as they can be ascertained, and the number and description of the buildings destroyed or injured, together with the names of the owners and occupants, to the City Inspector, who shall keep an accurate register of the same.

Fire Ward-
ens, how ap-
pointed.

§ 9. So many of the freeholders or freemen of the said city as the Common Council may deem proper, shall, from time to time, be appointed in each of the wards of the said city, to be denominated Fire Wardens; each of whom shall be assigned and attached by the Mayor of the said city, to such company of firemen, having charge of a fire-engine, as he shall think proper; and shall report himself to the Chief or other engineer, at every fire. And each Fire Warden shall have a certificate, under the seal of the mayoralty, stating his appointment as a Fire Warden, and the company of firemen to which he shall be attached.

To be di-
vided into
companies
and to make
rules and
regulations.

§ 10. The Fire Wardens of each ward shall form a separate company; and each of the said companies shall and may choose, out of their own number, a foreman and clerk, in such manner, and at such times as they may think proper; and each company may make rules regulating the time and manner of conducting their elections, and imposing such fines upon the members as, in their judgment, may best secure the performance of the duties of the said Fire Wardens, both at fires, and at visiting the buildings, and in other duties in their several districts; and any disobedience to such rule shall be reported, by each company,

to the Common Council, and shall subject the Fire Wardens, so disobeying, to removal by the Common Council.

§ 11. Whenever a vacancy shall happen in any of the said companies, the company in which the same shall happen, may recommend, through the Chief Engineer, to the Common Council, for approbation, a suitable person to fill such vacancy; but none other than those who have been firemen at least three years, shall be so recommended.

Vacancies, how to be filled.

§ 12. Every fireman hereafter recommended through the Chief Engineer, to the Common Council, as a suitable person to be appointed as a Fire Warden, shall be, at the time of such recommendation, an actual resident of the ward for which such appointment is required to be made.

Wardens must be actual residents of the ward.

§ 13. In case any Fire Warden shall remove from the ward to which he shall have been appointed, the said office shall be deemed vacant, and the Chief Engineer shall notify the company of Fire Wardens to proceed to fill the vacancy there made.

Warden removing, his office to be vacated.

§ 14. The said wardens, when attending fires, shall be subject to the direction of the Chief Engineer, and the other engineers of the Fire Department.

Fire Wardens subject to the direction of the Engineers.

§ 15. It shall be the duty of the Fire Wardens, immediately on the alarm of fire, to repair to the place where it may be, and aid and assist in procuring supplies of water to the fire-engines to which they shall be respectively assigned and attached, and to such other fire-engines as the Chief Engineer or other engineer may direct them to attend. It shall also be the duty of the said Fire Wardens to prevent the hose from being trodden on, and to keep all idle and suspected persons at a distance from the fire, and from the vicinity, and the citizens are hereby enjoined to

Duty of Wardens.

comply with the orders and directions of the said Fire Wardens, in the premises.

Wards to be
divided into
inspection
districts.

§ 16. Each of the said companies shall divide their ward into districts, and the foreman of the company shall attach one or more of the members of the said company to each of the said districts, for the purpose of making the visitation and examination directed in the next following section; who shall keep a record of the names of the occupants of the houses, and of the members of the same, wherein they shall observe any violations of this law or of the act for the more effectual prevention of fires; and annually, in the month of January, exhibit a transcript of the same to their foreman, and the said foreman shall report to the Chief Engineer, in the month of June, annually, the name, residence, and occupation of each of the wardens of his company; and also, a copy of the record to be kept as aforesaid, under the penalty of fifty dollars for each and every neglect, to be recovered in an action of debt, from the said foreman, by the Attorney of the Corporation, in the name of the Mayor, Aldermen, and Commonalty of the City of New York, and it shall be the duty of the Chief Engineer to report to the Mayor, in the month of July, annually, a copy of the aforesaid return and record, which shall be filed in his office.

Wardens
to examine
houses, &c.,
and to give
directions,
&c.

§ 17. It shall be the duty of the said Fire Wardens, twice in every year, viz., in the months of June and December, and as much oftener as they may think proper, to examine the dwelling-houses and other buildings in their respective wards, for the purpose of ascertaining all violations of any act in force for the more effectual prevention of fires in New York, and also to examine the fire-places, hearths, chimneys, stoves, and the pipes thereto, ovens, boilers, ket-

ties, and also all chemical apparatus which, in their opinion, may be dangerous in causing or promoting fires, and also the places where ashes may be deposited; and, upon finding any of them defective or dangerous, they, or either of them, shall direct the owner or occupant, either by a printed or written notice, to alter, remove, or amend the same, in such manner, and within such reasonable time as they, or either of them, may deem necessary; and in case of neglect or refusal so to do, the party offending shall forfeit and pay twenty-five dollars, and for every day after the time allotted as aforesaid to alter, remove, or amend the same, in conformity with the directions aforesaid, the party so offending shall forfeit and pay the further sum of five dollars; and all the expenses of any removal, alteration, or amendment, as aforesaid, shall be paid, in the first instance, by the occupant, but shall be chargeable against the owner of such dwelling-house or other building, and shall be deducted from the rent of the same, unless such expense be rendered necessary by the act or default of such occupant, or unless there be a special agreement to the contrary between the parties. And it shall, moreover, be the duty of the Fire Wardens, or either of them, at such times as aforesaid, to enter into, and examine all buildings, livery or other stables, hay boats or vessels, and places where any gunpowder, hemp, flax, tow, hay, rushes, fire-wood, boards, shingles, shavings, or other combustible materials may be lodged, and give such directions, in writing, in the premises, as may be deemed necessary by them or him, relative to the removal thereof; and in case of neglect or refusal on the part of the possessor of such combustible materials, or of any of them, to remove or secure the same within the time and in the manner directed by the said Fire Wardens, or either of them, the party offending shall

forfeit and pay twenty-five dollars, and the further sum of five dollars for every day's neglect to remove or secure the same, after being so notified.

Reports to
be made to
the foremen.

§ 18. The duties prescribed by the foregoing section shall be performed within each district by the warden or wardens attached to such district, who shall make an immediate report to the foreman (who shall record the same in a book to be kept for that purpose) of all persons neglecting or refusing to comply with the orders and directions aforesaid, together with the circumstances of each case; and shall also make report whether any, and what cases of violations of the laws of this State, prohibiting the construction of wooden buildings, within certain limits in this city, have come to his or their knowledge; and in case of any violation of such law, he or they shall particularly report the name of the owner or owners of the building, and of the master builder, and the particular circumstances of each case; and in case of neglect to report as aforesaid, or to perform any of the duties prescribed in this or the preceding section of this ordinance, such warden or wardens, respectively, shall forfeit and pay the sum of twenty dollars for each neglect, to be recovered in an action of debt, by the Attorney of the Corporation, in the name of the Mayor, Aldermen, and Commonalty of the City of New York; and in order that the provisions of this ordinance may be carried into full effect, it shall be the duty of the foreman of each respective company of wardens, to report to the Attorney of the Corporation all violations of the same, whether on the part of the citizens or of the wardens, under a penalty of fifty dollars for each neglect, to be recovered as aforesaid.

Firemen.

§ 19. The firemen shall be divided into companies, to consist of as many members as the Common Council shall

from time to time direct, to attend to the fire-engines, hose-wagons, and hooks and ladders belonging, or that may hereafter belong to the Corporation of the city, or to such hose-wagons and hooks and ladders as the Common Council shall direct; and each of the companies shall and may choose, out of their own number, a foreman, assistant, and clerk, in such a manner and at such times as they may think proper; and it shall be the duty of the said firemen, as often as any fire shall break out in the said city, to repair, immediately upon the alarm thereof, to their respective engines, hose-wagons, hooks and ladders, and convey them to or near the place where such fire shall happen, unless otherwise directed by the Chief or other engineer; and there, in conformity with the directions given by the said Chief Engineer, or other engineers, to work and manage the said engines, or apparatus and implements, with all their skill and power; and when the fire is extinguished, they shall not remove therefrom but by the permission of an engineer; and on such permission, they shall return their respective hose-wagons, hooks and ladders, engines, and apparatus, well washed and cleansed, to their several places of deposit. If any fireman shall neglect to attend to any fire, as aforesaid, or leave his fire-engine or other apparatus while at any fire, without permission, or shall neglect to do his duty on such occasion, without reasonable excuse, he shall, for every default, forfeit and pay the sum of three dollars; and may, on request of the company to which he belongs, be removed from his station as a fireman.

Duties.

§20. The Committee on Fire and Water, under the advice of the Chief Engineer, shall be authorized and empowered to take any fire-engine, hook and ladder, or hose-truck from the company, and place the same in the public yard, or give the same to some other company.

Committee
may send en-
gine to public
yard, if ad-
vised by
Chief Engi-
neer.

Firemen
whose ma-
chines are in
public yard,
to attend
fires and re-
port them-
selves to
Chief Engi-
neer.

§21. All firemen attached to any fire-engine, hose, or hook and ladder company, whose machine and implements shall have been ordered to the public yard, for want of a sufficient complement of men to manage the same, shall, at every fire, report themselves to the Chief Engineer, or to an engineer in command, and be subject to his order and direction, and perform their duty as firemen, and for every default thereof, each fireman shall forfeit and pay the sum of three dollars.

No engine
to be hired
or lent, in
any case, un-
less permit-
ted.

§22. No fire-engine shall be let out for hire, or lent, in any case, without permission of the Alderman and Assistant of the Ward wherein it is wanted to be used, and the Chief Engineer; in default thereof, the firemen so offending shall be removed from the Fire Department.

Certificate
of appoint-
ment and re-
election.

§23. Whenever any fireman is appointed to supply any vacancy in any company, it shall be his duty to call on the Treasurer of the Fire Department, and procure a certificate, within one month of his appointment, specifying the name and number of the company to which such fireman shall be elected; and any fireman, after being re-elected, shall obtain a new certificate as aforesaid; and it shall be the duty of the Chief Engineer to certify, on every return, whether a vacancy exists in the company.

Firemen
expelled to
be referred
to Committee
if they re-
monstrate.

§24. If any fireman shall be expelled by a vote of the company to which he may belong, and the fact being reported to the Common Council by the Chief Engineer, accompanied by a remonstrance of the person so expelled, in every such case the subject shall be referred to the Committee on Fire and Water of the two Boards, as a Joint Committee, together with the Chief Engineer, who shall hear the parties, and report thereon, at the next joint meeting of the Common Council.

§ 25. In order that the members of the Common Council, Engineers, and Fire Wardens, may be more readily distinguished at fires, the Mayor, Recorder, Aldermen, and Assistants, shall severally bear, on these occasions, a wand, with a gilded flame at the top ; and each of the engineers shall wear a leathern cap, painted white, with a gilded front thereto, and a fire-engine blazoned thereon, and shall also carry a speaking-trumpet, painted black, with the words, "Chief Engineer," "Engineer No. 1," as the case may be, in white, which shall also be painted on their caps respectively ; and each of the fire wardens shall wear a hat, with the rim black, the crown painted white, and the city arms blazoned on the front, and shall also carry a speaking-trumpet, painted white, with the word "Warden," in black, painted thereon.

How Aldermen, Assistants, Engineers and Fire Wardens are to be distinguished.

§ 26. The foremen of engine companies, and the firemen, shall, when on duty, wear leathern caps, in the form heretofore used ; and the said cap shall be painted and distinguished in the manner following, viz., the cap of each foreman shall be painted black, with a white frontispiece, and the word "Foreman," with the initials of the name of the foreman, and the number of the engine to which he belongs, painted thereon, in black ; the cap of each fireman shall be painted black, with the initials of the name of the fireman and the number of the engine to which he belongs painted in front thereof, in white. The foreman of each of the hook and ladder companies shall wear a cap, painted black, with a white frontispiece, and the word "Foreman," and the initials of his name, and the number of the company to which he belongs, and a hook and ladder, painted thereon, in black ; and each member of the hook and ladder companies shall wear a cap, painted black, with the initials of his name and the number of the company to

Caps of the firemen.

which he belongs, with a hook and ladder, painted in front thereof, in white; and each foreman of the fire-hose companies shall wear a cap, painted black, with a white frontispiece, and the word "Foreman," and the initials of his name, and the number of the company to which he belongs, and a coil of hose painted thereon, in black; and each member of the said fire-hose companies shall wear a cap, painted black, with the initials of his name, and the number of the company to which he belongs, with a coil of hose painted thereon, in white; and the assistant to each respective company shall wear a cap, painted in the same manner as that of the foreman of the company, with the word "Assistant" in lieu of the word "Foreman." And that it shall be the duty of the Chief Engineer to report to the Common Council the name of every person who shall neglect or refuse to comply with the foregoing requisitions, which said person shall thereupon be removed from his office.

Aldermen
and Assist-
ants, Fire-
Wardens,
Foremen and
Bell-ringers
to be notified
of fires by
the watch-
men.

§ 27. The names and places of abode of the members of the Common Council, Engineer, Fire Wardens, and Foremen of the respective companies, and bell-ringers shall, annually, in the month of June, be printed, and set up in the several watch-houses, by the City Inspector; and whenever any fire shall happen in the night, the watchmen shall give notice to each of the members of the Common Council, Engineers, Fire Wardens, Foremen, and bell-ringers within their respective watch districts; and it shall, moreover, be the duty of every watchman, upon the breaking out of any fire, to alarm the citizens by crying fire, and mentioning the street where it may be, so that the firemen and citizens may thereby be generally directed where to repair; and if any watchman shall neglect so to do, he shall forfeit and pay *one dollar*; and if it shall happen that a chimney only shall

be on fire, either by day or by night, the fire-bell at the City Hall, and the bells of the several churches in this city, shall not be rung, but only on occasions where a building shall be proclaimed to be on fire ; and it is enjoined on the occupants to place a lighted candle at the windows of their respective buildings where fire may happen at night, in order that the citizens may pass along the streets with the greater safety.

§ 28. It shall be the duty of the constables and marshals to repair, immediately on the alarm of fire, with their staves of office, to the place where such fire may be ; and it shall be the duty of the constables then and there to report themselves to the high constable ; and of the marshals then and there to report themselves to the first marshal, and to conform to such orders as may be given them by the Mayor, Recorder, or any one of the Aldermen or Assistants, for the preservation of the public peace, and the removal of all idle and suspected persons, or others not actually or usefully employed in aiding the extinguishment of such fire, or in the preservation of property in the vicinity thereof ; and if any constable or marshal shall not attend at such fire, or shall neglect so to report himself, or to obey any orders that may be given him as aforesaid, he shall forfeit and pay the sum of five dollars for each offense.

Constables
and Marshals
to attend
fires.

§ 29. If any chimney, stove-pipe, or flue within this city, shall take fire, the occupant of the house to which such chimney, stove-pipe, or flue appertains, shall forfeit and pay *five dollars*.

Penalty for
chimneys be-
ing on fire.

§ 30. All carpenters and others making or using shavings, shall respectively, at the close of each day, cause the same to be securely stowed in some safe place, remote from danger by means of fire, under the penalty of *five dollars* for each omission so to do.

Carpenters,
&c., to se-
cure shav-
ings.

Of fires in
streets.

§ 31. No person shall kindle any fire, nor furnish the materials for any fire, nor in any way authorize or allow any fire to be made in any street, road, or lane, or on any pier or bulkhead in this city, except for the purpose of boiling tar, which fire shall not be more than six feet from the bulkhead or the end of the pier, under the penalty of *ten dollars* for every such offense.

Hay and
straw, how
to be placed.

§ 32. No person shall have, put, or keep any hay or straw, uncovered, in any stack or pile, or in any other way exposed, within one hundred yards of any building to the southward of Fourteenth street, or shall have, put, or keep, to the southward of the said line, any hay, straw, hemp, flax, shavings, or rushes, in any building not built of stone or brick, and covered with tile or slate, or other fire-proof materials, which is or shall be within ten feet of any dwelling-house or chimney whatsoever, under the penalty of *twenty-five dollars* for every such offense, and the further penalty of *ten dollars* for every twenty-four hours the same shall so remain, after a printed or written notice has been given, to the owner or person having charge thereof, by any Fire Warden, to remove the same.

Candles,
how to be
used in sta-
bles.

§ 33. No owner or occupant of any stable within this city, or any person in the employment of any such owner or occupant, shall use therein any lighted candle or lamp, except the same shall be securely kept within a lantern, under the penalty of *ten dollars* for every such offense.

Penalties,
how appro-
priated.

§ 34. All the fines, penalties, and forfeitures imposed by this law for not attending fires, shall, when received, be paid to the treasurers of the respective companies afore-said in which the delinquencies may happen, for the use and benefit of said companies; and all the other fines, penalties, and forfeitures imposed by this law, except the

penalties mentioned in the fifth section thereof, shall, when recovered, be paid to the Treasurer of the "Fire Department of the City of New York," for the use and benefit of the said Fire Department. The Chief Engineer shall, annually, on the second Monday of December in each year, report to the Common Council the amount of the sums which may be received by the Fire Department of the City of New York, and the application thereof.

§ 35. It shall be lawful for the Fire Department of the City of New York, and for the respective companies before mentioned, or persons duly authorized by them, to receive, sue for, and recover, in the name of the Mayor, Aldermen, and Commonalty of the City of New York, all the fines, penalties, and forfeitures hereby imposed, and appropriated for their respective uses as aforesaid, except the penalty mentioned in the fifth section of this law. Penalties, how recovered.

§ 36. No person shall be elected a fireman until he shall have attained the age of twenty-one years; and it shall be the duty of the foremen of the respective fire companies, when they report to the Chief Engineer the names of the persons elected firemen, to certify that the persons so elected are at least twenty-one years of age. Firemen not to be elected under a certain age.

§ 37. It shall be the duty of the Clerk of the Common Council to furnish the certificates, required to be furnished to the firemen, without fee or reward. Certificates.

§ 38. It shall be the special duty of the Mayor, for the time being, to see that this ordinance is carried into full effect.

Passed by the Board of Assistants, October 21, 1833.

Passed by the Board of Aldermen, December 9, 1833.

Approved by the Mayor, December 10, 1833.

1834.

A LAW for the appointment of a Chief Engineer, and prescribing his duties.

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

Appoint-
ment.

§ 1. There shall be appointed by the Common Council, a suitable person, who shall be known as the Chief Engineer.

Oath of
office.

§ 2. The said Chief Engineer shall, before entering upon the duties of his office, take and subscribe an oath or affirmation, well and faithfully to perform such duties.

Bond.

§ 3. The said Chief Engineer shall give a bond, with sufficient surety or sureties, to be approved by the Finance Committee of both Boards, in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties of his office.

Salary.

§ 4. The said Chief Engineer shall receive for his services, a yearly salary of one thousand dollars, payable quarterly.

Duties.

To advertise for
estimates for
new engines.

To submit
estimates to
the Committees
on Fire
and Water.

§ 5. It shall be the duty of the said Chief Engineer, in addition to such duties as are prescribed for him in the law for preventing and extinguishing fires, to advertise for estimates for the construction of all new fire-engines which may be ordered by the Common Council, and to submit all such estimates, when received by him, to the Committees on Fire and Water, for their approval, previous to any contract being concluded for any such fire-engine.

§ 6. It shall be the duty of the said Chief Engineer to ^{To superintend repairing of fire-engines.} superintend the repairing of all fire-engines which may be sent to the public yard for such purpose, and generally to see that the fire-engines are kept in good and sufficient order for use.

§ 7. It shall be the duty of the said Chief Engineer to ^{Also, the making and repairing of hose, ladders, &c.} superintend the making and repairing of all hose, ladders, hooks, and other apparatus used for extinguishing fires.

§ 8. All bills for expenditures incurred by or under the direction of the said Chief Engineer, shall, previous to the ^{To approve and sign bills.} payment thereof, be carefully examined, and if found to be correct, shall be signed by him.

Passed by the Board of Assistants, December 2, 1833.

Passed by the Board of Aldermen, January 6, 1834.

Approved by the Mayor, January 7, 1834.

A LAW to amend the ordinances, and in addition thereto.*

§ 1.	*	*	*	*
§ 2.	*	*	*	*
§ 3.	*	*	*	*
§ 4.	*	*	*	*
§ 5.	*	*	*	*
§ 6.	*	*	*	*
§ 7.	*	*	*	*

§ 8. The Superintendent of Buildings and Chief Engineer, under the advice of the Committee on Fire and ^{Old and condemned fire-engines and hose to be sold.} Water, are authorized to sell, for cash, any old and con-

*There are only two sections of this law which are relevant to the Fire Department.

demned fire-engines and hose deposited at the public yard; they shall pay the money received for such engines or hose, when sold, to the city treasurer, and deposit the receipts for such money with the Comptroller.

§ 9. * * *

§ 10. * * *

Clerk of
Common
Council to ad-
vertise ex-
tension of fire
limits.

§ 11. It shall be the duty of the Clerk of the Common Council, whenever and as often as the fire limits of this city shall be extended by any act of the Legislature, to cause the same to be published in the papers employed by the Corporation, for the information of the citizens.

§ 12. * * *

§ 13. * * *

§ 14. * * *

§ 15. * * *

§ 16. * * *

§ 17. * * *

§ 18. * * *

§ 19. * * *

§ 20. * * *

§ 21. * * *

§ 22. * * *

Passed by the Board of Assistants, March 10, 1834.

Passed by the Board of Aldermen, April 14, 1834.

Approved by the Mayor, April 15, 1834.

1835.

A LAW to amend a law entitled "*A law for preventing and extinguishing fires.*"

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows:

1st. A watchman shall at all times be stationed in the cupola of the City Hall, for the purpose of giving alarms of fire, whenever cause shall arise. The Chief Engineer, by and with the consent of the Mayor, shall appoint a competent number of persons to perform the duty of such watchmen, day and night, and they shall be severally removable by the Chief Engineer, and at all times during the night be subject to the rules and regulations of the Watch Department, and the authority of the officers of the watch, and as such, members of the Watch Department.

Watchman
stationed in
cupola, City
Hall.

2d. On the occurrence of any fire, the City Hall bell shall be rung by the watchman on duty in the cupola, and the ringing thereof shall be continued during the continuance of the fire; and he shall give notice of the locality of the fire by ringing said bell in a manner which shall be prescribed by directions to be given by the Committee on Fire and Water, and the Chief Engineer, and by hanging out a light in the direction of the fire; and for neglect of any of the duties required by this law, he shall be removed from office by the Chief Engineer or Captains of the Watch.

Hall bell
to be rung.

3d. That upon the happening of any fire, the several watch-house and market bells shall be rung, and also all other alarm bells, and the same shall be done whenever

Other bells

any one alarm bell shall ring, and the ringing thereof shall be continued until the city bell shall be stopped.

Neglect.

4th. That all watchmen, bell-ringers, and other persons or officers charged with the ringing of bells in cases of fire, shall, on neglect to comply with the requisitions of this law, be removed from office, by the person or the authority having power to remove him, on such person or authority being credibly informed of such neglect; and he shall not be re-appointed to that or any other office under the Corporation, within one year after such removal.

Chief to
report.

5th. The Chief Engineer is hereby required to report to the Common Council all cases of neglect on the part of bell-ringers to churches, to ring their bells on alarms of fire.

Penalty.

6th. The Captains of the Watch, respectively, shall remove from office every watchman who shall fail or neglect to give the notices and alarms of fire, by crying fire, and mentioning the street where it may be, as required by the twenty-seventh section of the law hereby amended, and such removal shall be made by such captain, on his being credibly informed thereof, by any member or officer of the Fire Department.

Passed by both Boards, March 30, 1835.

Approved by the Mayor, April 1, 1835.

1836.

AN ORDINANCE to amend an ordinance for the better regulation of the Fire Department, passed December 10th, 1833.

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

§ 1. That two persons be appointed to each fire-engine and hose company, and two persons to each hook and ladder company within the lamp and watch district of this city, whose duty it shall be to keep all the apparatus of said companies in complete order and ready for immediate use ; and who shall, at every alarm of fire, repair, forthwith, to the house of the engine, hose, or hook and ladder company to which they shall be attached, and assist the members of said company in conveying the engine, carriage, or truck to wherever such fire may happen, and there to assist the company in getting the engine to work, or the hose ready for immediate action, under the direction of the officers of the company to which they may belong ; and shall, during the time such engine or hose-carriage is employed at a fire, take charge of the hose, and prevent any person from treading on, or otherwise injuring the same.

Fire apparatus, how to be cleaned.

§ 2. That when the engine or hose-carriage shall be discharged from duty (on the putting out of any fire), by an engineer, it shall be the duty of such persons, under the direction of the officers of the company, to assist the members of said company in taking up the hose and other apparatus, and shall assist in conveying them, together with

Duties of persons appointed to clean apparatus.

the engine or hose-carriage, and other apparatus, to the house appropriated for it, and there shall wash and dry the hose, and clean and put in complete order all the apparatus, so as to be ready for immediate use, taking care, however, in no case to meddle with the works of an engine.

Duties of
persons tak-
ing charge of
trucks.

§ 3. It shall be the duty of those persons so appointed, who shall be attached to a hook and ladder company, to preserve the truck and apparatus belonging to their company from injury during the fire ; shall assist the members in raising or moving ladders and hooks, under the direction of the officers of said company ; and shall, after the truck is discharged from duty, assist the members in collecting the hooks, ladders, and other apparatus, and aid in conveying them, together with the truck, to the house where they belong, and shall then clean and prepare them for immediate use ; and each person so appointed to perform the duties in the several engine, hose, and hook and ladder companies as above mentioned, shall not be entitled to the privileges and exemptions of firemen, but shall, for the faithful performance of said services, receive a salary of one hundred and twenty-five dollars per annum.

Compensa-
tion.

City to be
divided into
districts.

§ 4. The city shall be divided into as many districts as there are engineers in the Fire Department, and that such division be made by the engineers, having due regard to the location of the houses of said engines, hose-carriages, and hook and ladder trucks ; and that it shall be the duty of said engineers, after each fire, to see that the engines, hose-carriages and hose, hooks and ladders, with their trucks, and all other apparatus belonging to the Department, in their respective districts, are in complete order, and ready for immediate use.

§ 5. It shall be the duty of each foreman of a fire-engine, hose, or hook and ladder company, to recommend to the engineer of his district, ^{Suitable persons recommended by foremen to take care of apparatus.} suitable persons to take care, as above mentioned, of the fire-engine, hose, hose-carriage or truck, or hook and ladder of the company to which he may belong; which persons must have served as firemen at least five years; and the foreman shall recommend exempt firemen in preference to all others, and said persons shall, on such recommendation being made through the engineer of his district, be appointed by the Mayor, but no acting fireman shall be appointed to discharge said duties.

§ 6. In case of any neglect of the person or persons employed to keep the engine, hose-carriage or truck, or hook and ladder to which he or they shall belong, in order, the engineer shall, forthwith, remove him or them, and report to the Mayor his or their removal, who shall, on recommendation of the engineer, as aforesaid, substitute a person or persons in his or their place; and that, in case any engine, hose-carriage, or truck be in need of repairs, the engineer in whose district it is, shall report the same to the Chief Engineer, forthwith. ^{Engineer of district to have power to remove persons employed to keep apparatus}

§ 7. It shall be the duty of all members of the Fire Department, as well as of those who are hired for the purposes mentioned in the first section, to prevent all persons not belonging to the Department, and especially boys, from entering any house, or handling any apparatus belonging to the Department. ^{Duty of firemen.}

§ 8. Every engineer of the Fire Department (except the Chief Engineer and such other engineers as hold salaried offices under the Common Council) shall be paid for his services the sum of five hundred dollars per annum. ^{Salary of Engineers.}

§ 9. That nothing contained in this ordinance shall deprive the Common Council from repealing or altering the same at any time they may think proper.

Adopted by the Board of Assistants, May 9, 1836.

Adopted by the Board of Aldermen, May 9, 1836.

Approved by the Mayor, May 10, 1836.

A LAW to amend a law entitled "*A law for preventing and extinguishing fires.*"

The Mayor, Aldermen, and Commonalty of the City of New York, do ordain as follows:

Duty of
marshals and
constables.

1st. It shall be the duty of the marshals and constables to repair, immediately on the alarm of fire, with their staves of office, to the place where such fire may be, and report themselves to the High Constable, or Alderman or Assistant Alderman of the ward in which such fire may happen, and to conform to such orders as may be given them by the Mayor or any one of the Aldermen and Assistants, for the preservation of the public peace, and the removal of all idle and suspected persons, or others not actually or usefully employed in aiding the extinguishment of such fire, or in the preservation of property in the vicinity thereof; and if any marshal or constable shall not attend at such fire, or shall neglect so to report himself, or to obey any orders that shall be given him as aforesaid, he shall, unless he has a reasonable excuse, to be determined by the Mayor, forfeit and pay the sum of five dollars for each offense.

The twenty-eighth section of the law entitled "A law for preventing and extinguishing fires," is hereby repealed.

Passed by the Board of Assistants, October 3, 1836.

Passed by the Board of Aldermen, October 24, 1836.

Approved by the Mayor, October 27, 1836.

1837.

Resolution on occurrence of fires during the setting of the watch.

Duty of
watchmen
during the
setting of the
watch.

Resolved, That when a fire occurs during the setting of the watch, it shall be the duty of the watchman by whom it is first discovered, to announce, aloud, the street and block where it originated, and that such announcement be made from watch to watch, throughout the city.

Adopted by the Board of Assistants, November 13, 1837.

Adopted by the Board of Aldermen, December 4, 1837.

Approved by the Mayor, December 6, 1837.

1838.

AN ORDINANCE *to amend and modify the laws and ordinances, as now in force, relating to fires and the Fire Department of the City of New York, and reduce the same into one act.*

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

§ 1. The Fire Department of the said city shall consist of a Chief Engineer, nine Assistant Engineers, a Water Purveyor, and as many Fire Wardens, fire-enginemen, hosemen, and hook and ladder men as are or may, from time to time, be appointed by the Common Council, and who shall respectively be distinguished by the several appellations aforesaid.

Fire Department, of whom to consist.

§ 2. The Chief Engineer shall be nominated by the engineers, foremen, and assistant foremen ; and the Assistant Engineer by the foremen and assistant foremen of the fire companies, respectively, to the Common Council, for appointment, and shall hold their respective offices during the pleasure of the Common Council.

Chief Engineer, and Assistant Engineers, how appointed.

§ 3. The Water Purveyor shall be appointed by the Common Council, and shall hold his office during the pleasure of the Common Council.

Water Purveyor.

§ 4. The Chief Engineer shall, in all cases of fire, have the sole and absolute control and command over all the engineers and other persons connected with the Fire Department ; it shall be the duty of the Chief Engineer to direct

Duty of Chief Engineer.

the other engineers to take proper measures to arrange the several engines in the most advantageous manner, and to cause them to be duly worked for the effectual extinguishment of fires ; it shall also be the duty of the said engineer to examine, twice in every year, into the condition and number of the fire-engines and other fire apparatus, and fire-engine houses, and to report the same, once a year, to the Common Council, together with the names of all the members of the Fire Department, and the respective associations to which they belong ; it shall also be the duty of the Chief Engineer to report, in writing, all accidents by fire that may take place in the city, with the causes thereof, as well as they can be ascertained, and the number and the description of the buildings destroyed or injured, together with the names of the owner and occupants, to the City Inspector, who shall keep an accurate register of the same.

Salary.

§ 5. The Chief Engineer shall receive for his services a yearly salary of \$1,200 (twelve hundred dollars), payable quarterly ; and shall before entering upon the duties of his office, take and subscribe an oath or affirmation well and faithfully to perform such duties.

Vacancy.

§ 6. In case of any vacancy in the office of Chief Engineer, the Senior Engineer shall discharge the duties of Chief Engineer until the vacancy shall be filled.

**Engineers,
how appointed.**

§ 7. The engineers, foremen, and assistant foremen of the fire companies, respectively, shall meet on the first Tuesday in June, annually, for the purpose of nominating a suitable person as Chief Engineer ; and the foremen and assistant foremen, for the purpose of nominating assistant engineers, shall then and there, or at such other time and place as they may appoint, by joint ballot, designate from the whole body of firemen, by a majority of votes which

shall be given, the persons whom they may wish to fill said offices.

§ 8. Whenever any vacancy shall occur in the office of Chief Engineer, it shall be the duty of the Senior Assistant Engineer to notify the engineers, foremen, and assistant foremen to meet at such time and place as the said engineer shall designate; and in case of a vacancy among the Assistant Engineers, the Chief Engineer shall notify the foremen and assistant foremen to meet at such place and time as the said Engineer shall designate, and they shall, as aforesaid, by joint ballot, designate from the whole body of firemen, by a majority of votes which shall be given, the person whom they may wish to fill such vacancy. Vacancy.

§ 9. It shall be the duty of the Chief Engineer or Senior Engineer to certify, under his hand, to the Common Council, the names who may, from time to time, be designated, pursuant to the provisions of the seventh and eighth sections of this ordinance, for the respective offices for which they may have been nominated; to the end that, if approved of by the Common Council, they may be appointed. Duty of Chief Engineer.

§ 10. It shall be the duty of the said Chief Engineer, under the direction of the Joint Committee on Fire and Water, whenever any of the fire-engines, hose-carts, trucks, hooks and ladders, and other fire apparatus shall require to be repaired, to cause the same to be well and sufficiently done. It shall also be his duty to advertise for estimates for the construction of all new fire-engines and other apparatus which may be ordered by the Common Council, and to submit all such estimates, when received by him, to the Committee on Fire and Water, for their approval, previous to any contract being concluded for any such engine or other apparatus. It shall also be his duty to superin- Duty of Chief, continued.

tend the repairing of all fire-engines and apparatus which may be sent to the public yard for that purpose, and generally to see that the fire-engines and other apparatus are kept in good and sufficient order for use. It shall also be his duty to superintend the making of all hose, ladders, hooks, and all other fire apparatus used for extinguishing of fires.

Bills, how
to be paid.

§ 11. All bills for expenditures incurred by and under the Chief Engineer shall, previous to the payment thereof, be examined by the Committee on Fire and Water, and when approved of by them, signed by the Chief, and paid.

Water Pur-
veyor, oath.

§ 12. The Water Purveyor shall, before entering upon the duties of his office, take and subscribe an oath or affirmation, well and faithfully to perform the said duties.

Bond.

§ 13. The said Water Purveyor shall give a bond, with sufficient surety or sureties, to be approved of by the Finance Committee, conditioned for the faithful performance of the duties of his office.

Salary.

§ 14. That the said Water Purveyor shall receive for his services a yearly salary of one thousand dollars, payable quarterly.

Duties of
Water Pur-
veyor.

§ 15. It shall be the duty of said Water Purveyor to take charge of the public reservoirs and establishments of water for the extinguishment of fires, and to see that the same, and all the apparatus and machinery belonging thereto, and all the public hydrants, are kept in good order.

§ 16. It shall be the duty of the said Water Purveyor to superintend, in person, the laying down of all such water-pipes as may be ordered by the Common Council, and generally to take charge, and have the care and

superintendence of all public works erected or undertaken for the purpose of procuring or keeping a supply of water for the extinguishment of fires.

§ 17. It shall be the duty of the said Water Purveyor to advertise for estimates for all public works connected with his department, or for the repairing or altering thereof, except the laying down and repairing water-pipes, the expense of which may not, in his judgment, exceed five hundred dollars.

§ 18. In all cases of slight repairs, the expense whereof shall not exceed the above sum, the said Water Purveyor shall cause the same to be done without advertising for such estimates.

§ 19. All estimates which may be received by the said Water Purveyor, for the expense of work to be done under his superintendence, for his department, shall be submitted by him to the Committee of Fire and Water, for their approval, previous to any contract being concluded for the same.

§ 20. All bills for expenditures incurred by or under the direction of the said Water Purveyor shall, previous to the payment thereof, be examined by the said Committee on Fire and Water, and when approved by them, signed by the Water Purveyor, and paid.

§ 21. So many of the freeholders or freemen of the said city as the Common Council may deem proper, shall, from time to time, be appointed in each of the wards of the said city, to be denominated Fire Wardens; each of whom shall be assigned and attached by the Mayor of said city, to such company of firemen, having charge of a fire-engine, or any other fire apparatus, as he shall think proper; and

shall report himself to the Chief or other engineer, at every fire. And each Fire Warden shall have a certificate, under the seal of the mayoralty, stating his appointment as a Fire Warden, and the company of firemen to which he shall be attached.

By-laws
and regula-
tions, &c.

§ 22. The Fire Wardens of each ward shall form a separate company; and each of the said companies shall and may choose, out of their own number, a foreman and clerk, in such manner and at such times as they may think proper; and each company may make rules regulating the time and manner of conducting their elections, and imposing such fines upon the members, as, in their judgment, may best secure the performance of the duties of the said Fire Wardens, both at fires and at visiting the buildings, and in other duties in their several districts; and any disobedience to such rules shall be reported, by each company, to the Common Council, and shall subject the Fire Wardens, so disobeying, to removal by the Common Council.

Vacancies,
how to be
filled.

§ 23. Whenever a vacancy shall happen in any of said companies, the company in which the same shall happen, may recommend, through the Chief Engineer, to the Common Council, for approbation, a suitable person to fill such vacancy; but none other than those who have been firemen at least three years, shall be so recommended.

Fire Ward-
en to be an
inhabitant of
the ward.

§ 24. Every fireman hereafter recommended through the Chief Engineer, to the Common Council, as a suitable person to be appointed as a Fire Warden, shall be, at the time of such recommendation, an actual resident and inhabitant of the Ward for which such appointment is required to be made.

Office to be-
come vacant

§ 25. In case any Fire Warden shall remove from the Ward to which he shall have been appointed, the said office

shall be deemed vacant, and the Chief Engineer shall notify the company of Fire Wardens to proceed to fill the vacancy there made. on removal from the ward.

§26. The said Wardens, when attending fires, shall be subject to the direction of the Chief Engineer, and the other engineers of the Fire Department. Wardens under the direction of the Chief Engineer, &c.

§27. It shall be the duty of the said Fire Wardens, immediately on the alarm of fire, to repair to the place where it may be, and aid and assist in procuring supplies of water to the fire-engines to which they shall be respectively assigned and attached, and to such other engines as the Chief Engineer or other engineer may direct them to attend. It shall also be the duty of the said Fire Wardens to prevent the hose from being trodden on, and to keep all idle and suspected persons at a proper distance from the fire, and from the vicinity, and the citizens are hereby enjoined to comply with the orders and directions of the said Fire Wardens, in the premises. Duties of Fire Wardens.

§28. Each of the said companies shall divide their Ward into districts, and the foreman of the company shall attach one or more of the members of said company to each of said districts, for the purpose of making the visitation and examination directed in the next following section; who shall keep a record of the names of the occupants of the houses, and the numbers of the same, wherein they shall observe any violations of this law or of the act for the more effectual prevention of fires; and annually, in the month of January, exhibit a transcript of the same to their foreman, and the said foreman shall report to the Chief Engineer, in the month of June, annually, the name, residence, and occupation of each of the wardens of his company; and also, a copy of the record to be kept as afore- Wards to be divided into districts.

Penalties. said, under the penalty of fifty dollars for each and every neglect, to be recovered in an action of debt, from the said foreman, by the Attorney of the Corporation, in the name of the Mayor and Commonalty of the City of New York, and it shall be the duty of the Chief Engineer to report to the Mayor, in the month of July, annually, a copy of the aforesaid return and record, which shall be filed in his office.

**Duties of
Fire Ward-
ens.**

§ 29. It shall be the duty of the said Fire Wardens, twice in every year, viz., in the months of June and December, and as much oftener as they may think proper, to examine the dwelling-houses and other buildings in their respective wards, for the purpose of ascertaining all violations of any act in force, for the more effectual prevention of fires in New York, and also to examine the fire-places, hearths, chimneys, stoves, and the pipes thereto, ovens, boilers, kettles, and also all chemical apparatus, which, in their opinion, may be dangerous in causing or promoting fires, and also the places where ashes may be deposited; and, upon finding any of them defective or dangerous, they, or either of them, shall direct the owner or occupant, either by a printed or written notice, to alter, remove, or amend the same in such manner, and within such reasonable time as they, or either of them, may deem necessary; and in case of neglect or refusal so to do, the party offending shall forfeit and pay twenty-five dollars, and for every day after the time allotted as aforesaid to alter, remove, or amend the same, in conformity with the directions aforesaid, the party so offending shall forfeit and pay the further sum of five dollars; and all the expenses of any removal, alteration, or amendment, as aforesaid, shall be paid, in the first instance by the occupant, but shall be chargeable against the owner of such dwelling-house or other building, and shall be

deducted from the rent of the same, unless such expense be rendered necessary by the act or default of such occupant, or unless there be a special agreement to the contrary between the parties. And it shall, moreover, be the duty of the Fire Wardens, or either of them, at such times as aforesaid, to enter into and examine all buildings, livery or other stables, hay boats or vessels, and places where any gunpowder, hemp, flax, tow, hay, rushes, fire-wood, boards, shingles, shavings, or other combustible materials may be lodged, and give such directions, in writing, in the premises, as may be deemed necessary by them or him, relative to the removal thereof, and in case of neglect or refusal on the part of the possessor of such combustible materials, or any of them, to remove or secure the same within the time and in the manner directed by the said Fire Wardens, or either of them, the party offending shall forfeit and pay twenty-five dollars, and the further sum of five dollars for every day's neglect to remove or secure the same, after being notified.

§ 30. The duties prescribed by the foregoing section, shall be performed within each district, by the warden or wardens attached to such district, who shall make an immediate report to the foreman (who shall record the same in a book to be kept for that purpose) of all persons neglecting or refusing to comply with the orders and directions aforesaid, together with the circumstances of each case; and shall also make report whether any, and what cases of violations of the laws of this State, prohibiting the construction of wooden buildings, within certain limits in this city, have come to his or their knowledge, and in case of any violation of such law, he or they shall particularly report the name of the owner or owners of said building, and of the master builder, and the particular circumstances of each case; and

Duties to
be performed
within the
district.

in case of neglect to report as aforesaid, or to perform any of the duties prescribed in this or the preceding section of this ordinance, such warden or wardens, respectively, shall forfeit and pay the sum of twenty dollars for each neglect, to be recovered in an action of debt, by the Attorney of the Corporation, in the name of the Mayor, Aldermen, and Commonalty of the City of New York; and, in order that the provisions of this ordinance may be carried into full effect, it shall be the duty of the foreman of each respective company of wardens, to report to the Attorney of the Corporation all violations of the same, whether on the part of the citizens or of the wardens, under a penalty of fifty dollars for such neglect, to be recovered as aforesaid.

Firemen to
be divided
into compa-
nies.

§ 31. The firemen shall be divided into companies, to consist of as many members as the Common Council shall from time to time direct, to attend to the fire-engines, hose-wagons, and hooks and ladders belonging, or that may hereafter belong to the Corporation of the city, or to such hose-wagons and hooks and ladders as the Common Council shall direct; and each of the companies shall and may choose, out of their own number, a foreman, assistant, and clerk, in such a manner and at such times as they may think proper; and it shall be the duty of the said firemen, as often as any fire shall break out in the said city, to repair, immediately upon the alarm thereof, to their respective engines, hose-wagons, hooks and ladders, and convey them to or near the place where such fire shall happen, unless otherwise directed by the Chief or other engineer; and there, in conformity with the directions given by the Chief Engineer, or other engineers, to work and manage the said engines, or apparatus and implements, with all their skill and power; and when the fire is extinguished, they shall not remove therefrom but by the permission of an engineer;

and on such permission they shall return their respective hose-wagons, hooks and ladders, engines and apparatus, well washed and cleansed, to their several places of deposit. If any fireman shall neglect to attend to any fire as aforesaid, or leave his fire-engine or other apparatus while at any fire, without permission, or shall neglect to do his duty on such occasion, without reasonable excuse, he shall, for every such default, forfeit and pay the sum of three dollars; and may, on request of the company to which he belongs, be removed from his station as a fireman.

§ 32. There shall be two persons appointed to each fire-engine and hose company within the lamp and watch district of this city, whose duty it shall be to keep all the apparatus of said companies in complete order and ready for immediate use; and who shall, at every alarm of fire, repair, forthwith, to the house of the engine or hose company to which they shall be conveying the engine, carriage, or truck, to wherever such fire may happen, and there to assist the company in getting the engine to work, or the hose ready for immediate action, under the direction of the officers of the company to which they may belong, and shall, during the time such engine or hose-carriage is employed at a fire, take charge of the hose, and prevent any person from treading on, or otherwise injuring the same.

Persons to
clean appar-
atus.

§ 33. That when the engine or hose-carriage shall be discharged from duty (on the putting out of any fire) by an engineer, it shall be the duty of such persons, under the direction of the officers of their company, to assist the members of said company to take up the hose and other apparatus, and shall assist in conveying them, together with the engine or hose-carriage, or other apparatus, to

Duties.

the house appropriated for it, and there shall wash and dry the hose, and clean, and put in complete order, all the apparatus, so as to be ready for immediate use; taking care in no case to meddle with the works of an engine.

Salary

§ 34. It shall be the duty of the persons so appointed, who shall be attached to a hook and ladder company, to preserve the truck and apparatus belonging to their company from injury during the fire; shall assist the members in raising or moving the ladders and hooks, under the direction of the officers of said company; and shall, after the truck is discharged from duty, assist the members in collecting the hooks, ladders, and other apparatus, and aid in conveying them, together with the truck, to the house where they belong, and shall there clean and prepare them for immediate use; and each person so appointed to perform the duties in the several engine and hose companies, as above mentioned, shall not be entitled to the privileges and exemptions of firemen; but shall, for the faithful performance of said services, receive a salary of one hundred and twenty-five dollars per annum.

To be firemen for five years.

§ 35. It shall be the duty of each foreman of a fire-engine or hose company to recommend to the Chief Engineer suitable persons to take care, as above mentioned, of the fire-engine, hose-carriage, or truck of the company to which he may belong; which persons must have served as firemen at least five years; and the foreman shall recommend exempt firemen in preference to all others; and said persons shall, on such recommendation being made through the Chief Engineer, be appointed by the Mayor; but no acting fireman shall be appointed to discharge said duties.

Removal.

§ 36. In case of any neglect of the person or persons employed to keep the engine, hose-carriage, or truck to

which he or they shall belong, in order, the Chief Engineer shall, on the request of the foreman of the company to which such person or persons belong, forthwith remove him or them, and report to the Mayor his or their removal; who shall, on the recommendation of said foreman, made through the Chief Engineer, as aforesaid, substitute a person or persons in his or their place; and that in case any engine, hose-carriage, or truck be in need of repairs, the foreman thereof shall report the same to the Chief Engineer.

§ 37. It shall be the duty of all members of the Fire Department, as well as those who are hired for the purposes above mentioned, to prevent all persons not belonging to the Department from entering any house, or handling any apparatus belonging to the Department.

Members
to prevent
handling of
apparatus.

§ 38. No fire-engine, nor hook and ladder, nor hose-cart, in going to or returning from any fire, or at any other time, to be run, driven, wheeled, or placed upon any sidewalk, except by the special order of one of the engineers, under the penalty of *twenty-five dollars* for each offense, to be forfeited and paid by every person aiding or assisting in, or consenting to the violation of one of the provisions of this section, to be recovered by the Attorney of the Common Council, for the use of the Corporation.

Not to go
on sidewalks
without special
order.

Penalty.

§ 39. No such fire-engine, hook and ladder, or hose-cart, during any fire in this city, or any report of fire, or at any time, under any pretense whatever, shall be taken or removed out of its house, unless the foreman or assistant foreman, or at least two of the firemen of the company to which the same shall belong, shall be present and consent thereto, under the penalty of *ten dollars* for every such offense, to be forfeited and paid by, and recovered from any and every

Apparatus,
&c., not to be
removed unless
foreman or
assistant
foreman or
two firemen
present.

Penalty

person aiding and assisting in, or consenting to the violation of any of the provisions of this section.

Duty of Engineers, &c., to report violations. § 40. It shall be the duty of the several engineers, and of every foreman and assistant foreman of every fire company, to report all violations of this ordinance to the Treasurer of the Fire Department.

Power of Committee on Fire and Water. § 41. The Committee on Fire and Water, under the advice of the Chief Engineer, shall be authorized and empowered to take any fire-engine, hook and ladder, or hose-truck from the company, and place the same in the public yard, or give the same to some other company.

Companies when in want of complement of men. § 42. All firemen attached to any fire-engine, hose, or hook and ladder company, whose machine and implements shall have been ordered to the public yard, for want of a sufficient complement of men to manage the same, shall be attached, by the Fire and Water Committee, to any other company they may designate; and in case of their refusal to designate such company to which they wish to be attached, they shall be liable to expulsion.

No engine to be hired or lent in any case, unless permitted. § 43. No fire-engine shall be let out for hire, or let, in any case, without permission from the Alderman and Assistant of the ward wherein it is wanted to be used, and the Chief Engineer; in default thereof, the foremen so offending shall be removed from the Fire Department.

Certificate of appointment and re-election. § 44. Whenever any firemen is appointed to supply any vacancy in any company, it shall be his duty to call on the Treasurer of the Fire Department, and procure a certificate, within one month from the date of his appointment, specifying the name and number of the company to which such firemen shall be elected; and any foreman, after being re-elected, shall obtain a new certificate as aforesaid; and it shall be the duty of the Chief Engineer to certify, on every return, whether a vacancy exists in the company.

§ 45. If any foreman shall be expelled by a vote of the company to which he may belong, and the fact being reported to the Common Council by the Chief Engineer, accompanied by a remonstrance by the person so expelled, in every such case the subject shall be referred to the Committee on Fire and Water of the two Boards, as a Joint Committee, together with the Chief Engineer, who shall hear the parties, and report thereon, at the next meeting of the Common Council.

Firemen expelled to be referred to Committee. If they remonstrate.

§ 46. In order that the members of the Common Council, Engineers, and Fire Wardens may be more readily distinguished at fires, the Mayor, Aldermen, and Assistants, shall severally bear, on those occasions, a wand with a gilded flame at the top, and each of the engineers shall wear a leathern cap, painted white, with a gilded front thereto, and a fire-engine blazoned thereon, and shall also carry a speaking-trumpet, painted black, with the words, "Chief Engineer," "Engineer No. 1," as the case may be, in white, which shall also be painted on their caps respectively; and each of the Fire Wardens shall wear a hat, with the brim black, the crown painted white, and the city arms blazoned on the front, and shall also carry a speaking-trumpet painted white, with the word "Warden" in black painted thereon.

How Aldermen, Assistants, Engineers and Fire Wardens are to be distinguished.

§ 47. The foremen of engine companies and the firemen shall, when on duty, wear leathern caps, in the form heretofore used; and the said caps shall be painted and distinguished in the manner following, viz.: the cap of each foreman shall be painted black, with a white frontispiece, and the word "Foreman," with the initials of the name of the foreman and the number of the engine to which he belongs, painted thereon in black; the cap of each fireman

Caps of the firemen.

shall be painted black, with the initials of the name of the fireman and the number of the engine to which he belongs, painted in front thereof in white. The foreman of each of the hook and ladder companies shall wear a cap, painted black, with a white frontispiece, and the word "Foreman," and the initials of his name, and the number of the company to which he belongs, and a hook and ladder painted thereon in black; and each member of the hook and ladder companies shall wear a cap painted black, with the initials of his name and the number of the company to which he belongs, with a hook and ladder painted in front thereof in white; and each foreman of the fire hose companies shall wear a cap painted black, with a white frontispiece and the word "Foreman," and the initials of his name and the number of the company to which he belongs, and a coil of hose, painted thereon in black; and each member of the said fire hose companies shall wear a cap painted black, with the initials of his name, and the number of the company to which he belongs, with a coil of hose painted thereon in white; and the assistant to each respective company shall wear a cap painted in the same manner as that of the foreman of the company, with the word "Assistant" in lieu of the word "Foreman." And that it shall be the duty of the Chief Engineer to report to the Common Council the name of every person who shall neglect or refuse to comply with the foregoing requisitions, which said person shall thereupon be removed from his office.

A'derm n
and Assist-
ants, Fire
Wardens,
Foremen, and
Bell-ringers
to be notified
of fires by
the watch-
men.

§ 48. The names and places of abode of the members of the Common Council, Engineers, Fire Wardens, and Foremen of the respective companies, and bell-ringers, shall, annually, in the month of June, be printed, and set up in the several watch-houses, by the City Inspector; and whenever any fire shall happen in the night, the watch shall

give notice to each of the members of the Common Council, Engineers, Fire Wardens, Foremen, and bell-ringers within their respective watch districts; and it shall, moreover, be the duty of every watchman, upon the breaking out of any fire, to alarm the citizens by crying fire, and mentioning the street where it may be, so that the firemen and citizens may thereby be directed where to repair; and if any watchman shall neglect so to do, he shall forfeit and pay the sum of *one dollar*; and if it shall happen that a chimney only shall be on fire, either by day or by night, the fire-bell at the City Hall, and the bells of the several churches in this city, shall not be rung; but only on occasions where a building shall be proclaimed to be on fire; and it is enjoined on the occupants to place a lighted candle at the windows of their respective buildings, where fire may happen at night, in order that the citizens may pass along the streets with the greater safety.

§ 49. A watchman shall, at all times, be stationed in the cupola at the City Hall, for the purpose of giving alarms of fire whenever cause thereof shall arise; the Chief Engineer, by and with the consent of the Mayor, shall appoint a competent number of persons to perform the duty of such watchmen, day and night; and they shall be severally removable by the Chief Engineer, and at all times during the night be subject to the rules and regulations of the Watch Department, and the authority of the officers of the watch; and, as such, members of the Watch Department.

Watchman
to be station-
ed in cupola
of City Hall.

§ 50. On the occurrence of any fire, the City Hall bell shall be rung by the watchman on duty in the cupola, and the ringing thereof shall be continued during the continuance of the fire, and he shall give notice of the locality of the fire by ringing said bell in a manner which shall be

Watchmen
to give no-
tice of local-
ity, &c., of
fire, by ring-
ing bell.

inscribed by direction, to be given by the Committee on Fire and Water, and Chief Engineer, and by hanging out a light in the direction of the fire; and for neglect of any of the duties required by this law, he shall be removed from office by the Chief Engineer or Captain of the Watch.

Bells to be rung.

§ 51. That upon the happening of any fire, the several watch-house and market bells shall be rung, and also all other alarm bells, and the same shall be done whenever any one alarm bell shall ring, and the ringing thereof shall be continued until the ringing of the City Hall bell shall be stopped.

Watchmen, &c., to be removed for neglect.

§ 52. That all watchmen, bell-ringers, and other persons or officers charged with the ringing of bells in cases of fire, shall, on neglect to comply with the requisitions of this law, be removed from office, by the person or authority having power to remove him, on such person or authority being credibly informed of such neglect, and he shall not be re-appointed to that or any other office under the Corporation, within one year after such removal.

Chief Engineer to report cases of neglect.

§ 53. The Chief Engineer is hereby required to report to the Common Council all cases of neglect on the part of the bell-ringers to churches to ring their bells on alarms of fire.

Captains of Watch to remove watchmen for neglect.

§ 54. The Captains of the Watch, respectively, shall remove from office every watchman who shall fail or neglect to give the notice and alarm of fire, by crying fire, and mentioning the street where it may be, as required by the fifty-first section of this ordinance, and such removal shall be made by such captain, on his being credibly informed thereof, by any member or officer of the Fire Department.

§ 55. It shall be the duty of the marshals and constables Constables and Marshals to attend fires. to repair, immediately on the alarm of fire, with their staves of office, to the place where such fire may be; and report themselves to the High Constable, or Alderman or Assistant Alderman of the ward in which such fire may happen; and to conform to such orders as may be given them by the Mayor, or any one of the Aldermen or Assistants, for the preservation of the public peace, and the removal of all idle and suspected persons, or others not actually or usefully employed in aiding the extinguishment of such fire, or in the preservation of property in the vicinity thereof; and if any marshal or constable shall not attend at such fire, or shall neglect so to report himself, or to obey any order that shall be given him as aforesaid, he shall, unless he has a reasonable excuse, to be determined by the Mayor, forfeit and pay the sum of five dollars for each offense.

§ 56. If any chimney, stove-pipe, or flue within this city, shall take fire, the occupant of the house to which such chimney, stove-pipe, or flue appertains, shall forfeit and pay *five dollars*. Penalty for chimneys being on fire

§ 57. All carpenters or others making or using shavings, shall respectively, at the close of each day, cause the same Carpenters, &c., to secure shavings. to be securely stowed in some safe place, remote from danger by means of fire, under the penalty of *five dollars* for each omission so to do.

§ 58. No person shall kindle any fire, or furnish the materials for any fire, to be made in any street, road, or lane, or any pier or bulkhead in this city, except for the purpose of boiling tar, which fire shall not be more than six feet from the bulkhead or the end of the pier, under the penalty of *ten dollars* for every such offense. Of fires in streets.

Hay and
straw, how
to be placed.

§ 59. No person shall have, put, or keep any hay or straw, uncovered, in any stack or pile, or in any other way exposed, within one hundred yards of any building to the southward of Fourteenth street, or shall have, put, or keep, to the southward of said line, any hay, straw, hemp, flax, shavings, or rushes, in any building not built of stone or brick, and covered with tile or slate, or other fire-proof materials, which is or shall be within ten feet of any dwelling-house or chimney whatsoever, under the penalty of *twenty-five dollars* for every such offense, and the further penalty of *ten dollars* for every twenty-four hours the same shall so remain, after a printed or written notice has been given, to the owner or person having charge thereof, by any Fire Warden, to remove the same.

Candles,
how to be
used in sta-
bles.

§ 60. No owner or occupant of any stable within this city, or any person in the employment of such owner or occupant, shall use therein any lighted candle or lamp, except the same shall be securely kept within a lantern, under the penalty of *ten dollars* for every such offense.

Penalties,
how appro-
priated.

§ 61. All the fines, penalties, and forfeitures imposed by this law, on the members of the Fire Department, for not attending to fires, shall, when received, be paid to the treasurers of the respective companies aforesaid, in which the delinquencies may happen, for the use and benefit of said companies; and all the other fines, penalties, and forfeitures imposed by this law, shall, when recovered, be paid to the Treasurer of the "Fire Department of the City of New York," for the use and benefit of the said Fire Department. The Chief Engineer shall, annually, on the second Monday of December, in each year, report to the Common Council the amount of the sums which may be received by the Fire Department of the City of New York, and the application thereof.

§ 62. It shall be lawful for the Fire Department of the City of New York, and for the respective companies before mentioned, or persons duly authorized by them, to receive, sue for, and recover, in the name of the Mayor, Aldermen, and Commonalty of the City of New York, all the fines, penalties, and forfeitures hereby imposed and appropriated for their respective uses as aforesaid, except the penalty mentioned in the thirty-eighth section of this law.

Penalties,
how recover-
ed.

§ 63. No person shall be elected a fireman until he shall have attained the age of twenty-one years; and it shall be the duty of the foremen of the respective fire companies, when they report to the Chief Engineer the names of the persons elected firemen, to certify that the persons so elected are at least twenty-one years of age.

Firemen
not to be
elected under
a certain age.

§ 64. It shall be the duty of the Clerk of the Common Council to furnish the certificates, required to be furnished to the firemen, without fee or reward.

Certificates.

§ 65. It shall be the special duty of the Mayor, to see that this ordinance is carried into full effect. This ordinance shall take effect immediately after the passage thereof; and the first appointment of Chief and Assistant Engineers, under this ordinance, shall take place on or about the first Tuesday of June next.

Appoint-
ment of,
when to take
place.

§ 66. Nothing contained in this ordinance shall deprive the Common Council of the power to repeal or alter the same, at any time they may think proper.

§ 67. All laws, or parts of laws, relating to the New York Fire Department, heretofore passed by the Common Council, are hereby declared to be repealed.

Passed by the Board of Aldermen, April 23, 1838.

Passed by the Board of Assistants, May 4, 1838.

Approved by the Mayor, May 7, 1838.

Amendment. *Whereas*, The recent ordinance passed by the Common Council,* in relation to the Fire Department, the company known as the hydrant company was accidentally omitted to be embraced in said ordinance ; therefore,

Resolved, That the words "hydrant company" be inserted in section first, and the word "hydrant" in section thirty-one of the said ordinance, in the fourth and seventh lines thereof ; and that the words "fire-engine" be also inserted in the sixth line of said section.

Adopted by the Board of Assistants, May 7, 1838.

Adopted by the Board of Aldermen, May 8, 1838.

Approved by the Mayor, May 9, 1838.

AN ORDINANCE *relative to Commissioners of Fires.*

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

Commis-
sioners
of
fi.-es.

§ 1. The Common Council may appoint three persons Commissioners, to investigate the causes of fires in the city of New York, who shall hold their office during the pleasure of the Common Council, and shall receive a compensation at and after the rate of one thousand dollars per annum.

Duties.

§ 2. It shall be the duty of the said Commissioners to attend all fires which shall occur in the city of New York, and immediately after each fire, to investigate the cause thereof, and inquire and ascertain, as nearly as may be, in what manner the same originated, and particularly, whether by design or by negligence, by defect in the construction of the building, or the manner of warming or lighting

* The ordinance referred to is the general ordinance, approved May 7th, 1838.

it ; by the business carried on in such building, or in the manner in which it was conducted, or by the combination of materials liable to spontaneous combustion.

§ 3. It shall further be the duty of the said Commissioners to keep a record of their proceedings, and of the evidence taken by them in each case, and to file a report of their proceedings in each case, together with a copy of the evidence taken, and their opinion as to the cause or origin of the fire, in the office of the Clerk of the Common Council ; and they shall be authorized to employ such clerk or agent, at a compensation to be fixed by them, and to provide for such stationery and other expenses as they may deem necessary, to an amount, in the whole, including such compensation and expenses, not exceeding one thousand dollars per annum, to be audited by the Comptroller.

§ 4. A summons or subpoena, in the name of the Mayor, Aldermen, and Commonalty of the City of New York, and subscribed with the names of a majority of the said Commissioners, may be issued by the said Commissioners, requiring any person or persons in the city of New York, to attend before them, and testify, upon oath or affirmation, concerning any fires in the city of New York.

Power to
issue sub-
poena.

§ 5. Every person who, having been personally served with such summons or subpoena, shall neglect or refuse to attend before the said Commissioners, or shall refuse to testify, under oath or affirmation, shall, for every offense, forfeit the sum of twenty-five dollars.

Penalty
for refusing.

§ 6. That this ordinance shall take effect on the first day of August next, providing the sum of four thousand dollars shall be previously paid into the city treasury, by one or more of the insurance companies of the city of New York, for the purpose of defraying the expenses incurred, and

shall continue in force (unless repealed) so long as one or more of the said insurance companies shall, on or before the first day of June, in each year, pay into the city treasury the sum of four thousand dollars, for the purpose of defraying the expense; and that on failure to make such payment, this ordinance shall expire on the first day of August succeeding such failure.

Passed by the Board of Aldermen, July 2, 1838.

Passed by the Board of Assistants, July 9, 1838.

Approved by the Mayor, July 10, 1838.

AN ORDINANCE *to amend the law relating to fires and the Fire Department of the City of New York, approved by the Mayor, May 7, 1838.*

Fire companies to obey Chief.

§ 1 It shall be the duty of each and every fire company, in going to, or returning from any fire, or alarm of fire, or removing their apparatus from their respective places of deposit, to obey the orders of the Chief or other engineer.

Penalty.

§ 2. And in case any foreman or assistant foreman, or any other fireman having charge of any fire company, disobeying, or refusing to obey any order or direction given by the Chief or other engineer, shall, for such offense, be expelled from the Fire Department.

§ 3. The word "permission" shall be stricken out, and the word "direction" shall be inserted, in the third and fourth lines from the bottom of page 10, section thirty-one, of the law named above.

Passed the Board of Aldermen, December 17, 1838.

Passed the Board of Assistants, December 24, 1838.

Approved by the Mayor, December 28, 1838.

1839.

AN ORDINANCE *to amend an ordinance entitled "An ordinance to amend and modify the laws and ordinances now in force relating to fires and the Fire Department of the City of New York, and reduce them into one act," passed May 7, 1838.*

§ 1. The second section of the said ordinance is hereby amended by inserting the word "engineers," between the words "the" and "foremen," in the third line of the said section, so that the second section, as amended, shall read as follows: "The Chief Engineer shall be nominated by the engineers, foremen, and assistant foremen; and the Assistant Engineer by the engineers, foremen, and assistant foremen of the fire companies, respectively, to the Common Council, for appointment, and shall hold their respective offices during the pleasure of the Common Council."

Chief Engineer, how nominated.

§ 2. The eighth section of the said ordinance is hereby amended by inserting the word "engineers," between the words "the" and "foremen," in the seventh line of the said section, so that the said section, as amended, shall read as follows: "Whenever any vacancy shall occur in the office of Chief Engineer, it shall be the duty of the Senior Assistant Engineer to notify the engineers, foremen, and assistant foremen to meet at such time and place as the said engineer shall designate, and they shall, as aforesaid, by joint ballot, designate, from the whole body of firemen, and a majority of votes shall be given to the person whom they may wish to fill such vacancy."

Vacancy of Chief Engineer, how filled.

§ 3. The seventh section of the said ordinance is hereby repealed.

§ 4. The ninth section of the said ordinance is amended by striking out the words "seventh and," in the fifth line.

Bond.

§ 5. The fifth section of the said ordinance is hereby amended, by adding, at the end thereof, the following: "He shall also give a bond, with sufficient sureties, to be approved by the Finance Committees of both Boards, in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties of his office;" so that the said section, as amended, shall read as follows: "The Chief

Salary.

Engineer shall receive for his services a yearly salary of one thousand two hundred dollars, payable quarterly; and shall, before entering upon the duties of his office, take and subscribe an oath or affirmation, well and faithfully to perform such duties; he shall also give a bond, with sufficient security, in sureties, to be approved by the Finance Committees of both Boards, in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties of his office."

Passed the Board of Assistants, February 25, 1839.

Passed the Board of Aldermen, February 25, 1839.

Approved by the Mayor, February 28, 1839.

AN ORDINANCE. *Of fires and the Fire Department.*

PASSED April 23d, 1839.

The Mayor, Aldermen, and Commonalty of the City of New-York, in Common Council convened, do ordain as follows:

Fire Department, of whom to consist.

§ 1. The Fire Department of the said city shall consist of a Chief Engineer, nine Assistant Engineers, a Water

Purveyor, hydrant company, and as many Fire Wardens, fire-enginemmen, hosemen, and hook and ladder men, as are or may, from time to time, be appointed by the Common Council, and who shall respectively be distinguished by the several appellations aforesaid.

§ 2. The Chief Engineer shall be nominated by the engineers, foremen, and assistant foremen; and the Assistant Engineers by the foremen and assistant foremen of the fire companies, respectively, to the Common Council, for appointment, and shall hold their respective offices during the pleasure of the Common Council.

Chief Engineer, and Assistant Engineers, how appointed.

§ 3. The Water Purveyor shall be appointed by, and shall hold his office during the pleasure of the Common Council.

Water Purveyor.

§ 4. The Chief Engineer shall, in all cases of fire, have the sole and absolute control and command over all the engineers and other persons connected with the Fire Department; it shall be the duty of the Chief Engineer to direct the other engineers to take proper measures to arrange the several fire-engines in the most advantageous manner, and to cause them to be duly worked for the effectual extinguishment of fires; it shall also be the duty of the said Chief Engineer to examine, twice in every year, into the condition and number of the fire-engines and other fire apparatus, and fire-engine houses, and to report the same, once a year, to the Common Council, together with the names of all the members of the Fire Department, and the respective associations to which they belong; it shall also be the duty of the Chief Engineer to report, in writing, all accidents by fire that may take place in this city, with the causes thereof, as well as they can be ascertained, and the number and description of buildings destroyed or injured,

Duty of Chief Engineer.

together with the names of the owners and occupants, to the City Inspector, who shall keep an accurate register of the same.

Salary.

§ 5. The Chief Engineer shall receive for his services a yearly salary of one thousand two hundred dollars, payable quarterly ; and shall, before entering upon the duties of his office, take and subscribe an oath or affirmation well and faithfully to perform such duties. He shall also give a bond, with sufficient security, in sureties to be approved by the Finance Committees of both Boards, in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties of his office.

Vacancy
supplied.

§ 6. In case of any vacancy in the office of Chief Engineer, the senior engineer shall discharge the duties of Chief Engineer until the vacancy shall be filled.

Vacancy in
Engineer de-
partment.

§ 7. Whenever any vacancy shall occur in the office of Chief Engineer, it shall be the duty of the senior Assistant Engineer to notify the engineers, foremen, and assistant foremen, to meet at such time and place as the said engineer shall designate ; and in case of a vacancy among the Assistant Engineers, the Chief Engineer shall notify the engineers, foremen, and assistant foremen, to meet at such place and time as the said engineer shall designate, and they shall, as aforesaid, by joint ballot, designate from the whole body of firemen, by a majority of votes which shall be given, the person whom they may wish to fill such vacancy.

Duty of
Chief Engi-
neer to re-
port names of
those desig-
nated to
Common
Council.

§ 8. It shall be the duty of the Chief Engineer or senior engineer to certify, under his hand, to the Common Council, the names of the persons who may, from time to time, be designated, pursuant to the provisions of the seventh

section of this ordinance, for the respective offices for which they may have been nominated ; to the end that, if approved of by the Common Council, they may be appointed.

§ 9. It shall be the duty of the said Chief Engineer, under the direction of the Joint Committee on Fire and Water, whenever any of the fire-engines, hose-carts, trucks, hooks and ladders, and other fire apparatus shall require to be repaired, to cause the same to be well and sufficiently done. It shall also be his duty to advertise for estimates for the construction of all new fire-engines, and other apparatus, which may be ordered by the Common Council, and to submit all such estimates, when received by him, to the Committee on Fire and Water, for their approval, previous to any such contract being concluded for any such fire-engine or other apparatus. It shall also be his duty to superintend the repairing of all fire-engines and apparatus which may be sent to the public yard for that purpose, and generally to see that the fire-engines and other apparatus are kept in good and sufficient order for use. It shall also be his duty to superintend the making of all hose, ladders, hooks, and other fire apparatus used for extinguishing fires.

§ 10. The Superintendent of Buildings and Chief Engineer, under the advice of the Committee on Fire and Water, are authorized to sell, for cash, any old and condemned fire-engines and hose deposited at the public yard. They shall pay the money received for such engines or hose, when sold, to the City Treasurer, and deposit the receipts for such money with the Comptroller.

§ 11. All bills for expenditures incurred by or under the direction of the said Chief Engineer shall, previous to the payment thereof, be examined by the said Committee on Fire and Water, and when approved of by them, be signed by the said Chief, and paid.

Water Pur-
veyor, oath.

§ 12. The Water Purveyor shall, before entering upon the duties of his office, take and subscribe an oath or affirmation, well and faithfully to perform the said duties.

Bond.

§ 13. The said Water Purveyor shall give a bond, with sufficient surety or sureties, to be approved of by the Finance Committee of both Boards, conditioned for the faithful performance of the duties of his office.

Salary.

§ 14. The said Water Purveyor shall receive for his services a yearly salary of one thousand dollars, payable quarterly.

Duties of
Water Pur-
veyor.

§ 15. It shall be the duty of the said Water Purveyor to take charge of the public reservoirs and establishments for water for the extinguishment of fires, and to see that the same, and all the apparatus and machinery belonging thereto, and all the public hydrants, are kept in good order.

His duty
as to pipes.

§ 16. It shall be the duty of the said Water Purveyor to superintend, in person, the laying down of all such water-pipes as may be ordered by the Common Council, and generally to take charge, and to have the care and superintendence of all public works erected or undertaken for the purpose of procuring or keeping a supply of water for the extinguishment of fires.

Advertise
for esti-
mates.

§ 17. It shall be the duty of the said Water Purveyor to advertise for estimates for all public works connected with his department, or for the repairing or altering thereof, except the laying down and repairing water-pipes, the expense of which may not, in his judgment, exceed the sum of five hundred dollars.

Slight re-
pairs.

§ 18. In all cases of slight repairs, the expense whereof shall not exceed the above sum, the said Water Purveyor

shall cause the same to be done without advertising for such estimates.

§ 19. All estimates which may be received by the said Water Purveyor for the expense of the work to be done under his superintendence, or for his department, shall be submitted by him to the Committee on Fire and Water, for their approval, previous to any contract being concluded for the same. Estimates to be submitted.

§ 20. All bills for expenditures incurred by or under the direction of the said Water Purveyor shall, previous to the payment thereof, be examined by the said Committee on Fire and Water, and when approved of by them, signed by the Water Purveyor, and paid. Bills to be examined by Committee on Fire and Water.

§ 21. So many of the freeholders or freemen of the said city as the Common Council may deem proper, shall, from time to time, be appointed in each of the wards of said city, to be denominated Fire Wardens; each of whom shall be assigned and attached by the Mayor of the said city, to such company of firemen, having charge of a fire-engine, or any other fire apparatus, as he shall think proper; and shall report himself to the Chief or other engineer, at every fire. And each Fire Warden shall have a certificate, under the seal of the mayoralty, stating his appointment as a Fire Warden, and the company of firemen to which he shall be attached. Fire Wardens.

§ 22. The Fire Wardens of each ward shall form a separate company; and each of the said companies shall and may choose, out of their own number, a foreman and clerk, in such manner and at such times as they may think proper; and each company may make rules regulating the time and manner of conducting their elections, and imposing such fines upon the members as, in their judg- By-laws and regulations, &c.

ment, may best secure the performance of the duties of the said Fire Wardens, both at fires and at visiting the buildings, and in other duties in their several districts; and any disobedience to such rules shall be reported, by each company, to the Common Council, and shall subject the Fire Wardens, so disobeying, to removal by the Common Council.

Vacancies,
how to be
filled.

§ 23. Whenever a vacancy shall happen in any of the said companies, the company in which the same shall happen, may recommend, through the Chief Engineer, to the Common Council, for approbation, a suitable person to fill such vacancy; but none other than those who have been firemen at least three years, shall be so recommended.

Fire Ward-
en to be an
inhabitant of
the ward.

§ 24. Every fireman hereafter recommended through the Chief Engineer, to the Common Council, as a suitable person to be appointed as a Fire Warden, shall be, at the time of such recommendation, an actual resident and inhabitant of the ward for which such appointment is required to be made.

Office to
become va-
cant on re-
moval from
the ward.

§ 25. In case any Fire Warden shall remove from the ward to which he shall have been appointed, the said office shall be deemed vacant, and the Chief Engineer shall notify the company of Fire Wardens to proceed to fill the vacancy there made.

Wardens
under the di-
rection of
Chief Engi-
neer, &c.

§ 26. The said wardens, when attending fires, shall be subject to the direction of the Chief Engineer, and the other engineers of the Fire Department.

Duties of
Fire Ward-
ens.

§ 27. It shall be the duty of the said Fire Wardens, immediately on the alarm of fire, to repair to the place where it may be, and aid and assist in procuring supplies

of water to the fire-engines to which they may be respectively assigned and attached, and to such other engines as the Chief Engineer or other engineer may direct them to attend. It shall also be the duty of the said Fire Wardens to prevent the hose from being trod on, and to keep all idle and suspected persons at a proper distance from the fire and the vicinity ; and the citizens are hereby enjoined to comply with the orders and directions of the said Fire Wardens, in the premises.

§ 28. Each of the said companies shall divide their ward into districts, and the foreman of the company shall attach one or more of the members of said company to each of said districts, for the purpose of making the visitation and examination directed in the next following section ; who shall keep a record of the names of the occupants of the houses, and the numbers of the same, wherein they shall observe any violations of this law or of the act for the more effectual prevention of fires ; and annually, in the month of January, exhibit a transcript of the same to their foreman, and the said foreman shall report to the Chief Engineer, in the month of June, annually, the name, residence, and occupation of each of the wardens of his company ; and also a copy of the record to be kept as aforesaid, under the penalty of fifty dollars for each and every neglect, to be recovered in an action of debt, from the said foreman, by the Attorney of the Corporation, in the name of the Mayor, Aldermen, and Commonalty of the City of New York, and it shall be the duty of the Chief Engineer to report to the Mayor, in the month of July, annually, a copy of the aforesaid return and record, which shall be filed in his office.

§ 29. It shall be the duty of the said Fire Wardens, twice in every year, viz., in the months of June and De-

Wards to
be divided
into districts

Foremen to
report to
Chief Eng-
neer.

ember, and as much oftener as they may think proper, to examine the dwelling-houses and other buildings in their respective wards, for the purpose of ascertaining all violations of any act in force for the more effectual prevention of fires in New York, and also to examine the fire-places, hearths, chimneys, stoves, and the pipes thereto, ovens, boilers, kettles, and also all chemical apparatus which, in their opinion, may be dangerous in causing or promoting fires, and also the places where ashes may be deposited; and, upon finding any of them defective or dangerous, they, or either of them, shall direct the owner or occupant, either by a printed or written notice, to alter, remove, or amend the same, in such manner, and within such reasonable time as they, or either of them may deem necessary; and in case of refusal or neglect so to do, the party offending shall forfeit and pay twenty-five dollars, and for every day after the time allotted as aforesaid to alter, remove, or amend the same, in conformity with the directions aforesaid, the party so offending shall forfeit and pay the further sum of five dollars; and all the expenses of any removal, alteration, or amendment as aforesaid, shall be paid in the first instance by the occupant, but shall be chargeable against the owner of such dwelling-house or other building, and shall be deducted from the rent of the same, unless such expense be rendered necessary by the act or default of such occupant, or unless there be a special agreement to the contrary between the parties. And it shall, moreover, be the duty of the Fire Wardens, or either of them, at such times as aforesaid, to enter into and examine all buildings, livery or other stables, hay boats or vessels, and places where any gunpowder, hemp, flax, tow, hay, rushes, fire-wood, boards, shingles, shavings, or other combustible materials may be lodged, and give such directions in writing in the

premises, as may be deemed necessary by them or him, relative to the removal thereof; and in case of neglect or refusal on the part of the possessor of such combustible materials, or any of them, to remove or secure the same within the time and in the manner directed by the said Fire Wardens, or either of them, the party offending shall forfeit and pay twenty-five dollars, and the further sum of five dollars for every day's neglect to remove or secure the same, after being so notified.

§ 30. The duties prescribed by the foregoing section, shall be performed within each district, by the warden or wardens attached to such district, who shall make an immediate report to the foreman (who shall record the same in a book to be kept for that purpose) of all persons neglecting or refusing to comply with the orders and directions aforesaid, together with the circumstances of each case, and shall also make report whether any, and what cases of violations of the laws of this State, prohibiting the construction of wooden buildings, within certain limits in this city, have come to his or their knowledge; and in case of any violation of such law, he or they shall particularly report the name of the owner or owners of the building, and of the master-builder, and of the particular circumstances of each case; and in case of neglect to report as aforesaid, or to perform any of the duties prescribed in this or the preceding section of this ordinance, such warden or wardens respectively, shall forfeit and pay the sum of twenty dollars for each neglect, to be recovered in an action of debt, by the Attorney of the Corporation, in the name of the Mayor, Aldermen, and Commonalty of the City of New York; and in order that the provisions of this ordinance may be carried into full effect, it shall be the duty of the foreman of each respective company of wardens, to report to the Attorney of the Cor-

Wardens
to report to
foremen and
to Corpora-
tion Attor-
ney.

Duties to
be perform-
ed within th
district.

poration all violations of the same, whether on the part of the citizens or of the wardens, under a penalty of fifty dollars for each neglect, to be recovered as aforesaid.

Firemen to
be divided
into compa-
nies.

§ 31. The firemen shall be divided into companies, to consist of as many members as the Common Council shall from time to time direct, to attend to the fire-engines, hydrants, hose-wagons, and hooks and ladders belonging, or that may hereafter belong to the Corporation of the city, or to such hydrants, fire-engines, hose-wagons, and hooks and ladders, as the Common Council shall direct; and each of the companies shall and may choose, out of their own number, a foreman, assistant, and clerk, in such a manner and at such times as they think proper; and it shall be the duty of the said firemen, as often as any fire shall break out in the said city, to repair, immediately upon the alarm thereof, to their respective engines, hose-wagons, hooks, and ladders, and convey them to or near the place where such fire shall happen, unless otherwise directed by the Chief or other engineer; and there, in conformity with the directions given by the Chief Engineer, or other engineers, to work and manage the said engines, or apparatus and implements, with all their skill and power, and when the fire is extinguished, they shall not remove therefrom but by the direction of an engineer; and on such direction they shall return their respective hose-wagons, hooks and ladders, engines and apparatus, well washed and cleansed, to their several places of deposit. If any fireman shall neglect to attend to any fire as aforesaid, or leave his fire-engine or other apparatus while at any fire, without permission, or shall neglect to do his duty on such occasion, without reasonable excuse, he shall, for every default, forfeit and pay the sum of three dollars; and may, on request of the company to which he belongs, be removed from his station as fireman.

§ 32. It shall be the duty of each and every fire company, in going to, or returning from any fire, or alarm of fire, or removing their apparatus from their respective places of deposit, to obey the orders of the Chief or other engineer.

To obey
engineers
when with
engines.

§ 33. And in case any foreman or assistant foreman, or any other fireman having charge of any fire company, disobeying or refusing to obey any order or direction given by the Chief Engineer, he shall, for such offense, be expelled from the Fire Department.

Penalty for
disobedi-
ence.

§ 34. There shall be two persons appointed to each fire-engine and hose company within the lamp and watch district of this city, whose duty it shall be to keep all the apparatus of said companies in complete order, and ready for immediate use; and who shall, at every alarm of fire, repair, forthwith, to the house of the engine or hose company to which they shall be attached, and assist the members of the said company in conveying the engine, carriage, or truck, to wherever such fire may happen, and there to assist the company in getting the engine to work, or the hose ready for immediate action, under the direction of the officers of the company to which they may belong, and shall, during the time such engine or hose-carriage is employed at a fire, take charge of the hose, and prevent any person from treading on, or otherwise injuring the same.

Persons to
clean appa-
ratus.

§ 35. That when the engine or hose-carriage shall (on the putting out of any fire) be discharged from duty, by an engineer, it shall be the duty of such persons, under the direction of the officers of their company, to assist the members of said company to take up the hose and other apparatus, and shall assist in conveying them, together with the engine or hose-carriage, and other apparatus, to the

Duties in
engine and
hose compa-
nies.

house appropriated for it, and there shall wash and dry the hose, and clean, and put in complete order, all the apparatus, so as to be ready for immediate use ; taking care, however, in no case to meddle with the works of an engine.

Duties of
hook and
ladder com-
panies.

§ 36. It shall be the duty of the persons so appointed, who shall be attached to a hook and ladder company, to preserve the truck and apparatus belonging to their company from injury during the fire ; and they shall assist the members in raising or moving the ladders and hooks, under the direction of the officers of said company ; and shall, after the truck is discharged from duty, assist the members in collecting the hooks, ladders, and other apparatus, and aid in conveying them, together with the truck, to the house where they belong, and shall then clean and prepare them for immediate use ; the persons so appointed to perform the duties in the several engine and hose companies, as above mentioned, shall not be entitled to the privileges and exemptions of firemen ; but shall, for the faithful performance of said services, receive a salary of one hundred and twenty-five dollars per annum.

How ap-
pointed.

§ 37. It shall be the duty of each foreman of a fire-engine or hose company to recommend to the Chief Engineer suitable persons to take care, as above mentioned, of the fire-engine, hose-carriage, or truck of the company to which he may belong ; which persons must have served as firemen at least five years ; and the foreman shall recommend exempt firemen in preference to all others ; and said persons shall, on such recommendation being made through the Chief Engineer, be appointed by the Mayor ; but no acting fireman shall be appointed to discharge said duties.

How re-
moved.

§ 38. In case of any neglect of the person or persons employed to keep in order the engine, hose-carriage, or

truck to which he or they shall belong, the Chief Engineer shall, on the request of the foreman of the company to which such person or persons belong, forthwith remove him or them, and report to the Mayor his or their removal; who shall, on the recommendation of said foreman, made through the Chief Engineer, as aforesaid, substitute a person or persons in his or their place. In case any engine, hose-carriage, or truck be in need of repairs, the foreman thereof shall report the same to the Chief Engineer, forthwith.

Repairs of
engines.

§ 39. It shall be the duty of all members of the Fire Department, as well as those who are hired for the purposes above mentioned, to prevent all persons not belonging to the Department from entering any house, or handling any apparatus belonging to the Department.

Members
to prevent
handling of
apparatus.

§ 40. No fire-engine, nor hook and ladder, nor hose-cart, in going to or returning from any fire, or at any other time, to be run, driven, wheeled, or placed upon any sidewalk, except by the special order of one of the engineers, under the penalty of *twenty-five dollars* for each offense, to be forfeited and paid by every person aiding or assisting in, or consenting to the violation of any one of the provisions of this section, to be recovered by the Attorney of the Common Council, for the use of the Corporation.

Not to go
on sidewalks
without spe-
cial order.

Penalty.

§ 41. No such fire-engine, hook and ladder, or hose-cart, during any fire in this city, or any report of fire, or at any time, under any pretense whatever, shall be taken or removed out of its house, unless the foreman or assistant foreman, or at least two of the firemen of the company to which the same shall belong, shall be present and consent thereto, under the penalty of *ten dollars* for every such offense, to be forfeited and paid by, and recovered from any

Apparatus,
&c. not to be
removed un-
less foreman,
or assistant
foreman or
two firemen
present.

Penalty.

and every person aiding and assisting in, or consenting to the violation of any of the provisions of this section.

Duty of Engineers, &c., to report violations.

§ 42. It shall be the duty of the several engineers, and of every foreman and assistant foreman of every fire company, to report all violations of this ordinance to the Treasurer of the Fire Department.

Power of Committee on Fire and Water.

§ 43. The Committee on Fire and Water, under the advice of the Chief Engineer, shall be authorized and empowered to take any fire-engine, hook and ladder, or hose-truck from the company, and place the same in the public yard, or give the same to some other company.

May transfer men from one company to another.

§ 44. All firemen attached to any fire-engine, hose, or hook and ladder company, whose machine and implements shall have been ordered to the public yard, for want of a sufficient complement of men to manage the same, shall be attached, by the Fire and Water Committee, to any other company they may designate; and in case of their refusal to designate such company to which they wish to be attached, they shall be liable to expulsion.

No engine to be hired or lent in any case, unless permitted.

§ 45. No fire-engine shall be let out for hire, or lent, in any case, without permission from the Alderman and Assistant of the ward wherein it is wanted to be used, and the Chief Engineer; in default thereof, the firemen so offending shall be removed from the Fire Department.

Certificate of appointment and re-election.

§ 46. Whenever any fireman is appointed to supply any vacancy in any company, it shall be his duty to call on the Treasurer of the Fire Department, and procure a certificate, within one month from the date of his appointment, specifying the name and number of the company to which such fireman shall be elected; and any fireman, after being re-elected, shall obtain a new certificate as aforesaid; and it

shall be the duty of the Chief Engineer to certify, on every return, whether a vacancy exists in the company.

§ 47. If any fireman shall be expelled by a vote of the company to which he may belong, and the fact being reported to the Common Council by the Chief Engineer, accompanied by a remonstrance by the person so expelled, the subject shall be referred to the Committee on Fire and Water of the two Boards, as a Joint Committee, together with the Chief Engineer, who shall hear the parties, and report thereon, at the next joint meeting of the Common Council.

Firemen expelled to be referred to Committee, if they remonstrate.

§ 48. In order that the members of the Common Council, Engineers, and Fire Wardens may be more readily distinguished at fires, the Mayor, Recorder, Aldermen, and Assistants, shall severally bear, on those occasions, a wand with a gilded flame at the top; and each of the engineers shall wear a leathern cap, painted white, with a gilded front thereto, and a fire-engine blazoned thereon, and shall also carry a speaking-trumpet, painted black, with the words "Chief Engineer," "Engineer No. 1," as the case may be, in white, which shall also be painted on their caps respectively; and each of the Fire Wardens shall wear a hat, with the brim black, the crown painted white, and the city arms blazoned on the front, and shall also carry a speaking-trumpet, painted white, with the word "Warden," in black, painted thereon.

How Aldermen, Assistants, Engineers, and Fire Wardens are to be distinguished.

§ 49. The foremen of engine companies, and the firemen shall, when on duty, wear leathern caps, in the form heretofore used; and the said caps shall be painted and distinguished in the manner following, viz: the cap of each foreman shall be painted black, with a white frontispiece, and the word "Foreman," with the initials of the name of

Caps of the firemen.

the foreman, and the number of the engine to which he belongs, painted thereon, in black ; the cap of each fireman shall be painted black, with the initials of the name of the fireman and the number of the engine to which he belongs, painted in front thereof, in white. The foreman of each of the hook and ladder companies shall wear a cap, painted black, with a white frontispiece, and the word "Foreman," and the initials of his name, and the number of the company to which he belongs, and a hook and ladder, painted thereon, in black ; and each member of the hook and ladder companies shall wear a cap, painted black, with the initials of his name and the number of the company to which he belongs, with a hook and ladder painted in front thereof, in white ; and each foreman of the fire hose companies shall wear a cap, painted black, with a white frontispiece, and the word "Foreman," and the initials of his name, and the number of the company to which he belongs, and a coil of hose painted thereon, in black ; and each member of the said fire hose companies shall wear a cap, painted black, with the initials of his name, and the number of the company to which he belongs, with a coil of hose painted thereon, in white ; and the assistant to each respective company shall wear a cap, painted in the same manner as that of the foreman of the company, with the word "Assistant," in lieu of the word "Foreman." And it shall be the duty of the Chief Engineer to report to the Common Council the name of every person who shall neglect or refuse to comply with the foregoing requisitions, which said person shall thereupon be removed from his office.

Aldermen
and Assist-
ants, Fire
Wardens,
Foremen,
and Bell-
ringers to be
notified of

§ 50. The names and places of abode of the members of the Common Council, Engineers, Fire Wardens, and foremen of the respective companies, and bell-ringers, shall, annually, in the month of June, be printed, and set up in the

several watch-houses, by the City Inspector; and whenever any fire shall happen in the night, the watchmen shall give notice to each of the members of the Common Council, Engineers, Fire Wardens, foremen, and bell-ringers within their respective watch districts; and it shall, moreover, be the duty of every watchman, upon the breaking out of any fire, to alarm the citizens by crying Fire, and mentioning the street where it may be, so that the firemen and citizens may thereby be directed where to repair; and if any watchman shall neglect so to do, he shall forfeit and pay the sum of *one dollar*; and if it shall happen that a chimney only shall be on fire, either by day or by night, the fire-bell at the City Hall, and bells of the several churches in this city, shall not be rung; but only on occasions where a building shall be proclaimed to be on fire; and it is enjoined on the occupants to place a lighted candle at the windows of their respective buildings, when fire may happen at night, in order that the citizens may pass along the streets with the greater safety.

§ 51. A watchman shall, at all times, be stationed in the cupola at the City Hall, for the purpose of giving alarms of fire whenever cause thereof shall arise; the Chief Engineer, by and with the consent of the Mayor, shall appoint a competent number of persons to perform the duty of such watchmen, day and night; and they shall be severally removable by the Chief Engineer, and at all times during the night be subject to the rules and regulations of the Watch Department, and the authority of the officers of the watch; and, as such, members of the Watch Department.

§ 52. The Comptroller shall pay the day-watchmen so stationed in the cupola of the City Hall, for their services, at the rate of one dollar per diem, on their bills being cer-

fires by the
watchmen.

Watchmen
to be station-
ed in cupola
of city Hall.

Pay.

tified by the Chief Engineer that the services have been faithfully performed.

Watchmen
to give no-
tice of local-
ity, &c., of
fire, by ring-
ing bell.

§ 53. On the occurrence of any fire, the City Hall bell shall be rung by the watchman on duty in the cupola, and the ringing thereof shall be continued during the continuance of the fire, and he shall give notice of the locality of the fire by ringing said bell in a manner which shall be prescribed, by direction to be given by the Committees on Fire and Water and Chief Engineer, and by hanging out a light in the direction of the fire; and for neglect of any of the duties required by this law, he shall be removed from office by the Chief Engineer or Captain of the Watch.

Bells to be
rung.

§ 54. That upon the happening of any fire, the several watch-houses and market-bells shall be rung, and also all other alarm-bells, and the same shall be done when any one alarm-bell shall ring, and the ringing thereof shall be continued until the ringing of the City Hall bell shall be stopped.

Watchmen,
&c., to be re-
moved for
neglect.

§ 55. All watchmen, bell-ringers, and other persons or officers, charged with the ringing of bells in cases of fire, shall, on neglect to comply with the requisitions of this law, be removed from office, by the person or authority having power to remove him, on such person or authority being credibly informed of such neglect, and he shall not be re-appointed to that or any other office under the Corporation, within one year after such removal.

Chief En-
gineer to re-
port cases of
neglect.

§ 56. The Chief Engineer is hereby required to report to the Common Council all cases of neglect on the part of the bell-ringers to churches to ring their bells on alarms of fire.

§ 57. The Captains of the Watch, respectively, shall

remove from office every watchman who shall fail or neglect to give the notice and alarm of fire, by crying Fire, and mentioning the street where it may be, as required by the fifty-first section of this ordinance, and such removal shall be made by such captain on his being credibly informed thereof, by any member or officer of the Fire Department.

Captains of Watch to remove watchmen for neglect.

§ 58. It shall be the duty of the marshals and constables to repair, immediately on the alarm of fire, with their staves of office, to the place where such fire may be; and report themselves to the high constable, or Alderman, or Assistant Alderman of the ward in which such fire may happen; and to conform to such orders as may be given them by the Mayor, or any of the Aldermen or Assistants, for the preservation of the public peace, and the removal of all idle and suspected persons, or others not actually or usefully employed in aiding the extinguishment of such fire, or in the preservation of property in the vicinity thereof; and if any marshal or constable shall not attend at such fire, or shall neglect so to report himself, or to obey any order that shall be given him as aforesaid, he shall, unless he has a reasonable excuse, to be determined by the Mayor, forfeit and pay the sum of five dollars for each offense.

Constables and Marshals to attend fires.

§ 59. If any chimney, stove-pipe, or flue within this city, shall take fire, the occupant of the house to which such chimney, stove-pipe, or flue appertains, shall forfeit and pay *five dollars*.

Penalty for chimneys being on fire.

§ 60. All carpenters or others, making or using shavings, shall, respectively, at the close of each day, cause the same to be securely stowed in some safe place, remote from danger by means of fire, under the penalty of *five dollars* for each omission so to do.

Carpenters &c. to secure shavings.

§ 61. No person shall kindle any fire, or furnish the

Of fires in streets. materials for any fire, nor in any way authorize or allow any fire to be made in any street, road, or lane, or on any pier or bulkhead in this city, except for the purpose of boiling tar, which fire shall not be more than six feet from the bulkhead or the end of the pier, under the penalty of *ten dollars* for every such offense.

Hay and straw, how to be placed. § 62. No person shall have, put, or keep any hay or straw, uncovered, in any stack or pile, or in any other way exposed, within one hundred yards of any building to the southward of Fourteenth street, or shall have, put, or keep, to the southward of said line, any hay, straw, hemp, flax, shavings, or rushes, in any building not built of stone or brick, and covered with tile or slate, or other fire-proof materials, which is or shall be within ten feet of any dwelling-house or chimney whatsoever, under the penalty of *twenty-five dollars* for every such offense, and the further penalty of *ten dollars* for every twenty-four hours the same shall so remain, after a printed or written notice has been given to the owner or person having charge thereof, by any Fire Warden, to remove the same.

Candles, how to be used in stables. § 63. No owner or occupant of any stable within this city, or any person in the employment of such owner or occupant, shall use therein any lighted candle or lamp, except the same shall be securely kept within a lantern, under the penalty of *ten dollars* for every such offense.

Penalties, how appropriated. § 64. All the fines, penalties, and forfeitures imposed by this law, on the members of the Fire Department, for not attending to fires, shall, when received, be paid to the treasurers of the respective companies aforesaid, in which the delinquencies may happen, for the use and benefit of said companies; and all the other fines, penalties, and forfeitures, imposed by this law, shall, when recovered, be paid to the

Treasurer of the "Fire Department of the City of New York," for the use and benefit of the said Fire Department. The Chief Engineer shall, annually, on the second Monday of December, in each year, report to the Common Council the amount of the sums which may be received by the Fire Department of the City of New York, and the application thereof.

§ 65. It shall be lawful for the Fire Department of the City of New York, and for the respective companies before mentioned, or persons duly authorized by them, to receive, sue for, and recover, in the name of the Mayor, Aldermen, and Commonalty of the City of New York, all the fines, penalties, and forfeitures hereby imposed, and appropriated for their respective uses as aforesaid, except the penalty mentioned in the fortieth section of this law. Penalties, how recovered.

§ 66. No person shall be elected a fireman until he shall have attained the age of twenty-one years; and it shall be the duty of the foremen of the respective fire companies, when they report to the Chief Engineer the names of the persons elected firemen, to certify that the persons so elected are at least twenty-one years of age. Firemen not to be elected under a certain age.

§ 67. It shall be the duty of the Clerk of the Common Council to furnish the certificates required to be furnished to the firemen, without fee or reward. Certificates.

§ 68. It shall be the special duty of the Mayor to see that this ordinance is carried into full effect. Duty of Mayor.

§ 69. Nothing contained in this ordinance shall deprive the Common Council of the power to repeal or alter the same at any time they may think proper. Power of Common Council to repeal and amend.

§ 70. All laws, or parts of laws, relating to the New York Fire Department, heretofore passed by the Common Council, are hereby declared to be repealed. Laws heretofore passed to be repealed.

AN ORDINANCE to amend an ordinance entitled "*A law for the appointment of a Superintendent of Buildings, and prescribing his duties.*"

PASSED May 14th, 1839.

No fire apparatus to be constructed in public yard.

No repairs to be done exceeding twenty dollars in the public yard.

§ 2. No fire-engine, hose-cart, hook and ladder, hose, or other machine or apparatus for the use of the Fire Department, shall hereafter be constructed in the public yard.

§ 3. No repairs shall hereafter be done to any fire-engine or other machine, for the use of the Fire Department, the cost of which shall exceed the sum of twenty dollars ; nor shall any repairs be done to said machine in the public yard, other than such slight repairs as can be performed by the ordinary workmen employed in the yard. No painting, graining, varnishing, or gilding, shall hereafter be done in the said yard, except by contract.

AN ORDINANCE to amend and alter the laws and ordinances now in force relative to fires and the Fire Department in the City of New York.

PASSED July 16, 1839.

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

Engineers, how nominated and appointed.

§ 1. The Chief Engineer and the Assistant Engineers shall hereafter be nominated by the members of the Fire Department, as hereinafter provided, from the whole body of firemen, to the Common Council, for appointment ; and,

when appointed, shall hold their respective offices until others are nominated and appointed in their places, unless the Common Council shall otherwise direct.

§ 2. The nomination of the Chief Engineer and Assistant ibid. Engineers shall, annually, be made by the firemen, by ballot, between the first and second Tuesday of June, inclusive, in each year; and the persons receiving the greatest number of votes for the respective offices, shall be thereupon entitled to a nomination to the Common Council for appointment to such offices.

§ 3. Whenever a vacancy shall occur in either of the Special elections. offices of Chief Engineer, or Assistant Engineers, the engineers, and the foremen, and the assistant foremen of the fire companies, collectively, shall have power, and it shall be their duty, to call a special election, and designate the time for holding the same, to the end that a nomination, pursuant to the provisions of this ordinance, may speedily be made to the Common Council, to supply such vacancy until the next annual election.

§ 4. It shall be the duty of the Chief Engineer or Senior Nominations, how certified. Engineer to certify, under his hand, to the Common Council, the name or names of the persons who shall, from time to time, be nominated, pursuant to the provisions of this ordinance, for the respective offices for which they may be nominated, to the end, that if approved by the Common Council, they may be appointed.

§ 5. The engineers, and the foremen and assistant fore- Rule for elections. men of the fire companies, shall have power, and it shall be their duty, to establish and provide regulations, for holding and conducting the elections authorized to be held by this ordinance, and rules for testing the qualifications of electors thereat.

Who entitled to vote.

§ 6. Every fireman, whose appointment as a member of the Fire Department shall have been confirmed by the Common Council three months next preceding the nomination at which he may offer to vote, pursuant to this ordinance, and shall then be, and for the last three months shall have been an acting and actual member of the Fire Department, shall be entitled to one vote upon such nomination.

Duty of Superintendent of Buildings.

§ 7. The duties formerly required of the Chief Engineer by section tenth of the ordinance relating to fires, &c., passed May 7th, 1838, shall hereafter be performed by the Superintendent of Buildings and Repairs, under the direction of the Committee on Fire and Water, and not by such Chief Engineer.

Salary and oath of Chief Engineer.

§ 8. The Chief Engineer shall receive for his services a yearly salary of five hundred dollars, payable quarterly, and shall, before entering upon the duties of his office, take and subscribe an oath or affirmation, well and faithfully to perform such duties.

Laws repealed.

§ 9. The second, fifth, seventh, eighth, ninth, tenth, and eleventh sections of the ordinance entitled "An ordinance to amend and modify the laws and ordinances now in force, relating to fires and the Fire Department of the City of New-York, and reduce the same into one act," and approved by the Mayor, May 7, 1838, and subsequently amended in several of its provisions, together with all subsequent amendments, alterations, and re-enactments of said above-named sections, are hereby repealed.

Ibid.

§ 10. All laws or parts of laws, so far as they conflict with any of the provisions of this ordinance, are hereby also repealed.

First election, when held.

§ 11. This ordinance shall take effect immediately after its passage, and the first nomination under this ordinance of

Chief Engineer and Assistant Engineers, shall be made by the firemen, as herein provided, between the third and fourth Tuesdays of July instant, inclusive.

§ 12. Nothing contained in this ordinance shall deprive the Common Council of the power to repeal or alter the same at any time they think proper.

AN ORDINANCE to amend an ordinance, entitled, "*An ordinance to amend and alter the laws and ordinances now in force, relative to fires and the Fire Department,*" passed July 16th, 1839.

PASSED July 23d, 1839.

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

§ 1. That section eleven of said ordinance be, and the same is hereby amended, by striking out the words "third and fourth Tuesdays of July, instant," and inserting, in place thereof, the words, "first and second Tuesdays of August next." Time of elections.

AN ORDINANCE to amend an ordinance, entitled, "*An ordinance relative to Commissioners of Fires.*"

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

§ 1. That section sixth, of said ordinance, be, and the same is hereby amended, by striking out the words "first day of June," on the eighth line of said section, and insert- Section 6.
ordinance
July, 1839,
amended.

ing, in the place thereof, the words, "thirty-first day of July."

Passed by the Board of Assistants, July 29, 1839.

Passed by the Board of Aldermen, July 29, 1839.

Approved by the Mayor, July 30, 1839.

Pay of Engineer.

Resolved, That the Comptroller be authorized to pay all bills audited by the Joint Committee on Fire and Water, for services of Engineer at the Reservoir, and for keeping the hydrants in perfect and complete order, until a Water Purveyor shall be appointed.

Adopted by the Board of Assistants, November 25, 1839.

Adopted by the Board of Aldermen, November 25, 1839.

Approved by the Mayor, November 30, 1839.

Watchmen to cry Fire.

Whereas, The firemen of this city frequently experience much difficulty in finding fires that are confined to the interior of buildings; and whereas, the fiftieth section of the ordinance relative to the Fire Department requires that every watchman shall, upon the breaking out of any fire, alarm the citizens by crying "Fire," and stating the street where it may be, and that it shall be announced from watch to watch throughout the city, under the penalty of one dollar for each and every neglect; therefore,

Resolved, That a notice be sent to every Captain of the Watch, requiring them to have the above-named section of the ordinance properly enforced.

Resolved, That the firemen, and citizens generally, be, and are hereby requested to give notice to his Honor the Mayor of all violations of the above ordinance that may be noticed by them.

Adopted by the Board of Assistants, November 25, 1839.

Adopted by the Board of Aldermen, November 25, 1839.

Approved by the Mayor, November 30, 1839.

1840.

AN ORDINANCE to amend "*An ordinance relative to fires and the Fire Department of the City of New York.*"

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

That section thirty-three, chap. 15, of Corporation ordinance relating to fires and the Fire Department, be amended by adding the words "supended, or," after the word "be," in the fifth and last line of the section above named, so that the section, as amended, will read as follows, viz. :

Obedience
to Chief.

§ 33. And in case any foreman or assistant foreman, or any other fireman, having charge of any fire company, disobeying or refusing to obey any order or direction given by the Chief or other engineer, he shall, for such offense, be suspended or expelled from the Fire Department.

Passed by the Board of Assistants, January 6, 1840.

Passed by the Board of Aldermen, March 2, 1840.

Approved by the Mayor, March 5, 1840.

Centre
market bell.

Resolved, That a cupola and alarm-bell, of such description as the Joint Committee on Fire and Water shall direct, be placed upon Centre market.

Resolved, That the expense thereof be paid out of the general appropriation for the Fire Department, and that the

Superintendent of Buildings and Repairs, under the direction of the said Committee, contract for the same.

Resolved , That the city be divided into five separate and distinct fire districts, agreeably to the report of the Fire and Water Committee.

City divided into five fire districts.

(See Doc. No. 12, Board of Aldermen, 1839, with maps of and force in each of the fire districts, in detail.)

Adopted by the Board of Aldermen, December 2, 1839.

Adopted by the Board of Assistants, March 4, 1840.

Approved by the Mayor, March 11, 1840.

Whereas, The Legislature of this State have now under consideration an act for the alteration or material amendment of the laws regulating the Fire Department of the City of New York ; and whereas, the Common Council, at the request of a committee, appointed at a numerous meeting of the citizens of New York, have, through a Committee of their body, reported in favor of sundry alterations in the Fire Department which they have now under consideration, and which alterations are in accordance with the views of the Committee appointed by the meeting of the citizens above mentioned ; and whereas, the people of the city of New York are compelled to endure the burdens imposed by the great cost at which that Department is supported, and ought, therefore, to have the supervision of it, through their immediate representatives in the Common Council ; and whereas, any interference on the part of the Legislature, with the local affairs of our city, contrary to the wishes of the people, through their representatives, is considered an infringement of the chartered rights guaran-

teed to the city of New York, by the Constitution of the State ; therefore be it

Resolved, That the Counsel of the Board be directed to prepare a remonstrance, to be duly authenticated by the Mayor, in behalf of the citizens of New York, against the passage of any law in relation to the Fire Department, which will in any way interfere with the regulation or supervision properly vested in the Common Council.

Adopted by the Board of Aldermen, March 16, 1840.

Adopted by the Board of Assistants, March 16, 1840.

Approved by the Mayor, March 17, 1840.

Rights of
members.

Resolved, That section six of the amended Fire Laws, now in force, shall not be so construed by the inspectors of elections for the election of Chief and Assistant Engineers, as to exclude any member of the Fire Department, whose engine, hose-cart, or truck may be undergoing repairs, or in the course of construction.

Adopted by the Board of Aldermen, June 1, 1840.

Adopted by the Board of Assistants, June 3, 1840.

Approved by the Mayor, June 6, 1840.

Watchmen,
where sta-
tioned.

Resolved, That the fifty-first and fifty-second sections of the ordinance relating to the Fire Department be, and the same are hereby repealed, and that the following sections be substituted :

§ 51. A watchman shall, at all times, be stationed at the cupola of the City Hall, Reservoir, Centre, Essex, and Jef-

person markets, for the purpose of giving the alarm whenever a fire occurs.

The Fire and Water Committee, by and with the consent of the Mayor, shall appoint a competent number of persons to perform such duty by day and night, who shall be severally removable by said Committee.

§ 52. The Comptroller shall pay the watchmen stationed in the cupola, referred to in the preceding section, for their services, at the rate of two dollars per day, on their bills being certified by the Chairman of the Fire and Water Committee that the services have been faithfully performed. Watchmen, how paid.

Resolved, That sections fifty-three and fifty-four be, and the same are hereby amended, by striking out, in the first line of the fifty-third, and the fifth line of the fifty-fourth sections, the words, "City Hall bell," and inserting "district bell."

Adopted by the Board of Assistants, August 3, 1840.

Adopted by the Board of Aldermen, August 7, 1840.

Approved by the Mayor, August 8, 1840.

Of the Water Purveyor.

§ 1. The Water Purveyor shall be attached to the Croton Aqueduct Department, and shall be subject to the directions, regulations, and requirements of the Croton Aqueduct Committee and the Croton Aqueduct Commissioners. Water Purveyor, under whose direction.

§ 2. The seventeenth, eighteenth, nineteenth, and twentieth sections, in relation to the duties of the Water Purveyor, and of the Committee on Fire and Water, and all Ordinance in relation to duties of Water Purveyor and

Committee,
repealed.

such ordinances, and parts of ordinances, as are inconsistent with any of the provisions of this ordinance, are hereby repealed.

Passed by the Board of Aldermen, July 27, 1840.

Passed by the Board of Assistants, August 3, 1840.

Approved by the Mayor, August 5, 1840.

No bills ex-
ceeding
twenty-five
dollars for
election ex-
penses, to be
paid.

Resolved, That the Comptroller be, and is hereby directed to pay no bills of expenses of any future election for engineers of the Fire Department, including advertising, inspectors' expenses, room-hire, stationery, &c., which shall exceed twenty-five dollars.

Adopted by the Board of Assistants, October 12, 1840.

Adopted by the Board of Aldermen, November 16, 1840.

Approved by the acting Mayor, November 19, 1840.

1841.

AN ORDINANCE *to amend an ordinance in relation to fires and the Fire Department.*

PASSED April 23, 1839.

The Mayor Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

§ 1. That sections thirty-four, thirty-five, thirty-six, thirty-seven, and thirty-eight, of chap. 16 of the ordinance relative to the Fire Department, be and the same are hereby repealed, and the same take effect from and after the first day of August, 1841.

Passed by the Board of Assistants, August 2, 1841.

Passed by the Board of Aldermen, August 4, 1841.

Approved by the Mayor, August 6, 1841.

Resolved, That the third section of the ordinance prescribing the duties of the Superintendent of Buildings be amended by striking out "twenty" in the third line, and inserting "seventy-five," and after the word "dollars," in the third line, insert "and then only by the direction of the Joint Committee on Fire and Water;" and strike out the word "painting," in the seventh line. The section, as amended, would read thus :

"No repairs shall, hereafter, be done to any fire-engine, or other machine, for the use of the Fire Department, the cost of ^{Repairs to apparatus in Corporation yard.}

which shall exceed the sum of seventy-five dollars, and then only by the direction of the Joint Committee on Fire and Water; nor shall any repairs be done to the fire apparatus in the public yard, other than such slight repairs as can be performed by the ordinary workmen employed in the yard, and no graining, varnishing, or gilding shall hereafter be done in said yard, except by contract."

Adopted by the Board of Aldermen, June 14, 1841.

Adopted by the Board of Assistants, August 2, 1841.

Approved by the Mayor, August 6, 1841.

Volunteer
associations
disbanded.

Resolved, That the practice of permitting volunteer associations to assume the garb of firemen, and to mingle in the duties thereof, is not only in direct and open violation of the ordinances of the Common Council, but calculated, in its results, to demoralize the character of our youth, and bring reproach upon the Department, by the riotous and disorderly conduct in which they are so often engaged, and that the officers and members of each company be desired forthwith to disband all associations of volunteers, and upon no occasion to suffer or permit them to have access to the public property; and all magistrates, watchmen, and police officers are hereby requested to prevent the congregating of all boys around, or in the vicinity of engine, hose, and hook and ladder houses, to the end that members of the Fire Department may be recognized as such, and be held responsible for all deviations from the path of duty, and the requirements of the ordinances of the Common Council.

Adopted by the Board of Aldermen, November 1, 1841.

Adopted by the Board of Assistants, November 8, 1841.

Approved by the Mayor, November 10, 1841.

1842.

Resolution to increase pay of Chief Engineer.

Resolved, That the salary of the Chief Engineer of the Salary.
Fire Department be increased to one thousand dollars, to
take effect from the 1st of January, 1841.

Adopted by the Board of Aldermen, March 14, 1842.

Adopted by the Board of Assistants, March 31, 1842.

Approved by the Mayor, April 9, 1842.

Fire Districts.

The first fire district shall embrace all that part of the city Fire dis-
lying north of a line from the foot of North Moore street tricts.
direct to the Halls of Justice, and west of a line running
from the Halls of Justice, through Lafayette and Irving
places.

The second fire district shall embrace all that part of
the city lying east of the first district, and north of a line
running from the Halls of Justice to the foot of Roosevelt
street.

The third fire district shall embrace all that part of the
city lying south of the first and second districts.

Resolved, That a cupola and alarm-bell, of such descrip- Bell on
tion as the Joint Committee on Fire and Water shall direct, Halls of Jus-
be placed upon the Halls of Justice, and that a sum not tice
exceeding four thousand dollars, be appropriated therefor.

Resolved, That the expense thereof be paid by a special appropriation, and that the Superintendent of Buildings and Repairs, under the direction of the said Committee, contract for the same.

No engine
to leave its
district.

Resolved, That no fire company shall remove their apparatus out of the district in which the same is located, below Fourteenth street, in case of fire, or an alarm of fire, under the penalty of being subject to expulsion or suspension from the Fire Department, unless they shall be permitted so to do by the Chief or one of the Assistant Engineers, who are hereby authorized to give the necessary signal, which is hereby declared to be the constant ringing of the alarm-bell in the district in which the fire is, when the whole department shall proceed to the scene of conflagration.

Adopted by the Board of Assistants, March 31, 1842.

Adopted by the Board of Aldermen, April 18, 1842.

Approved by the Mayor, April 28, 1842.

AN ORDINANCE to amend an ordinance entitled "*Amendments to the Revised Ordinances*," approved by the Mayor, August 8, 1840.

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows:

Watchmen
to be station-
ed at alarm-
bells.

§ 51. A watchman shall, at all times, be stationed at the cupolas of the Halls of Justice, City Hall, Reservoir, Centre, Essex, and Jefferson markets, for the purpose of giving alarm whenever a fire occurs. The Fire and Water Committee, by and with the consent of the Mayor, shall appoint a competent number of persons to perform such duty, by

day and night, who shall be severally removable by said Committee.

§ 52. The Comptroller shall pay the watchmen stationed Pay. in the cupolas referred to in the preceding section, for their services, at the rate of one dollar and seventy-five cents per day, on their bills being certified by the Chairman of the Fire and Water Committee that the services have been faithfully performed.

Passed by the Board of Aldermen, April 25, 1842.

Passed by the Board of Assistants, April 28, 1842.

Approved by the Mayor, May 2, 1842.

AN ORDINANCE to amend and alter chapter 15 of the Revised Ordinances, entitled "*Of fires and the Fire Department,*" passed April 23, 1839, and also an ordinance, entitled "*An ordinance to amend and alter the laws and ordinances now in force, relative to fires and the Fire Department of the City of New-York.*"

The Mayor, Aldermen, and Commonalty of the City of New-York, in Common Council convened, do ordain as follows:

§ 1. The Fire Department of the said city shall consist of a Chief Engineer, nine Assistant Engineers, and as many Fire Wardens, fire-engine men, hose men, hook and ladder men, and hydrant men, who shall be citizens of the United States, of the age of twenty-one years or upward, as are, or may be, from time to time, appointed by the Common Council, and who shall, respectively, be distinguished by the appellations aforesaid.

Fire Department, of whom to consist.

§ 2. The nomination of the Chief Engineer and Assistant Engineers shall be made by the firemen, by ballot, at

Nomination of Engineer and Assist.

and Engi-
neers.

such time as the Common Council may hereafter appoint, and the persons receiving the greatest number of votes for the respective offices, shall be thereupon entitled to a nomination to the Common Council for appointment to such office, such appointment to continue during the pleasure of the Common Council, or until a new election, which shall be asked for by a majority of the firemen, shall have been held, and the nomination made by them duly confirmed.

Vacancies.

§ 3. Whenever a vacancy shall occur in either of the offices of Chief Engineer or Assistant Engineer, the engineers and the foremen of the fire companies collectively, shall have power, and it shall be their duty, to call a special election, and designate the time for holding the same, to the end that a nomination, pursuant to the provisions of this ordinance, may be made to the Common Council to supply such vacancy.

Duty of
Chief Engi-
neer.

§ 4. The Chief Engineer shall, in all cases of fire, have the sole and absolute control and command over all the engineers and other persons connected with the Fire Department. It shall be the duty of the Chief Engineer to direct the other engineers to take proper measures to arrange the several fire-engines in the most advantageous manner, and to cause them to be duly worked for the effectual extinguishment of fires. It shall also be the duty of the said Chief Engineer to examine, twice in every year, into the condition and number of the fire-engines, and other fire apparatus, and fire-engine houses, and to report the same, once a year, to the Common Council, together with the names of all the members of the Fire Department, and the respective associations to which they belong; also, under the direction of the Committee of Fire and Water, and the Clerk of the Common Council, erase from the books of regis-

try of firemen, all names which are not in the annual returns from the several companies. It shall also be the duty of the Chief Engineer to report, in writing, all accidents by fire that may take place in this city, with the causes thereof, as well as can be ascertained, and the number and description of the buildings destroyed or injured, together with the names of the owners or occupants, to the Common Council. And it shall also be his duty, whenever any of the fire-engines, hose-carts, trucks, and hooks and ladders, or other fire apparatus, shall require to be repaired, to report the same, forthwith, to the Joint Committee on Fire and Water, and, under their direction, to superintend the repairs thereof, and report all violations or disobedience of orders to said Committee, and at all times to be under the direction of said Committee.

§ 5. The Superintendent of Buildings, under the direction of the Committee on Fire and Water, is authorized to sell, for cash, old and condemned fire-engines and hose deposited at the public yard, and shall pay the money received from such engines or hose, when sold, to the city treasurer, and deposit the receipt for such money with the Comptroller.

Sale of
condemned
fire-engines
and hose, &c.

§ 6. The Committee on Fire and Water shall be authorized and empowered to take any fire-engine, hook and ladder truck, or hose-cart from the company, and place the same in the public yard, or give the same to some other company.

Committee
on Fire and
Water.

§ 7. The Chief Engineer shall receive for his services a yearly salary of one thousand dollars, payable quarterly, and shall, before entering upon the duties of his office, take and subscribe an oath or affirmation, well and faithfully to perform such duties.

Salary of
Chief Engi-
neer.

Rules
against run-
ning engines,
&c., on the
sidewalks.

Penalty.

§ 8. No fire-engine, nor hook and ladder truck, nor hose-cart shall, in going to or returning from any fire, or any other time, be run, driven, wheeled, or placed upon any sidewalk, except by the special order of one of the engineers, under the penalty of twenty-five dollars for each offense, to be forfeited and paid by every person aiding or assisting in, or consenting to the violation of any of the provisions of this section, to be recovered by the Attorney of the Common Council, for the use of the Corporation; and also under the further penalty of the expulsion of the foreman, assistant-foreman, and all members of the company.

Of volun-
teers.

§ 9. No boys or other persons known as volunteers, shall be permitted to assume the garb of firemen, have access to any of the places of deposit of the fire-engines, hose, hooks and ladders, or other apparatus of the Fire Department, or run as members with any such engine, hose-cart, or hook and ladder truck, or form any associations similar in any way to those now known as "Volunteer Associations," and any fire company in the city of New York which shall consent to any violation of the provisions of this section, shall be forthwith disbanded.

Breach of
peace and vi-
olation of
good order.

§ 10. That in case of any breach of the peace, or other violation of good order, on the part of any of the firemen, while on duty, it shall be the duty of the officer in command for the time being, forthwith to report the name of the person or persons so offending to the Committee on Fire and Water; and in case of his neglect so to do, he shall be held responsible for the same.

Duty of
foreman and
assistant, re-
lative to sec-
tion 10.

§ 11. It shall be the special duty of the foreman and assistant-foreman of each engine, hose, hook and ladder, and hydrant company, to see that the provisions of the

last preceding section of this ordinance are fully and strictly enforced, so far as regards the company to which such foreman or assistant-foreman may be attached; and if either or both of them aid or consent to the violation of the provisions of such sections, they, or either of them, so offending, shall be immediately expelled from the department.

§ 12. Engine companies Nos. 22, 38, 42, shall hereafter consist of sixty men each; and all other engine companies, of thirty men each; hook and ladder companies, of thirty men each; hose companies with four-wheeled hose-carriages, of twenty-five men each; hose companies, with two-wheeled hose-carriages, eighteen men each; and hydrant companies, of fifteen men each; and the Chief Engineer is hereby directed not to allow the above-named companies to exceed the number of men specified.

Regulating
the number
of men in
different
companies.

§ 13. The first nomination under this ordinance shall take place between the first and second Tuesdays in June, inclusive, 1842.

Time of
nomination.

§ 14. Engine company No. 9 shall hereafter be known as hose company No. 35; engine company No. 47 as hose company No. 34; engine company No. 17 as hose company No. 37; Third Ward hose company as hose company No. 27; Fifth District hose company as hose company No. 28; hose company No. 44 as hose company No. 29; hose company No. 43 as hose company No. 31; hose company No. 42 as hose company No. 32; making the number and the locations of the fire apparatus of the city as follows: and the Clerk of the Common Council is hereby authorized to make the necessary alterations, in accordance with this ordinance.

Change of
names of en-
gine com-
panies to
hose com-
panies.

ENGINE COMPANIES.

Their num-
bers and loca-
tions.

- No. 1, Clinton square, foot of Duane street.
“ 2, Eldridge, near Division street.
“ 3, Orange, near Prince street.
“ 4, North Dutch Church, near Ann street.
“ 5, “ “ - “ “
“ 6, Reade street, near West Broadway.
“ 7, Rose, near Frankfort street.
“ 8, Ludlow, near Broome street.
“ 9, Disbanded.
“ 10, Third street, near the Bowery.
“ 11, Wooster, near Prince street.
“ 12, William, near Duane street.
“ 13, Duane, near William street.
“ 14, Corner of Vesey and Church streets.
“ 15, Chrystie, near Walker street.
“ 16, Disbanded.
“ 17, Disbanded.
“ 18, Amity street, near Sixth avenue.
“ 19, Elizabeth, near Grand street.
“ 20, Cedar, near Greenwich street.
“ 21, Lumber, near Cedar street.
“ 22, Chambers, near Centre street.
“ 23, Anthony street, near Broadway.
“ 24, Seventeenth street, near Ninth avenue.
“ 25, Twenty-third street, near Fifth avenue.
“ 26, Madison, near Rutgers street.
“ 27, Watts, near Greenwich street.
“ 28, Disbanded.
“ 29, Horatio street, near Ninth avenue.
“ 30, Disbanded.
“ 31, West Broadway, near Beach street.
“ 32, Hester, near Allen street.

- No. 33, Gouverneur, near Henry street.
 " 34, Christopher, near Hudson street.
 " 35, Harlem.
 " 36, Varick, near Vandam street.
 " 37, Delancey, near Allen street.
 " 38, Nassau, near Ann street.
 " 39, Doyers, near Chatham square.
 " 40, Mulberry, near Broome street.
 " 41, Corner of Delancey and Attorney streets.
 " 42, Beaver, near William streets.
 " 43, Manhattanville.
 " 44, Houston, near Lewis street.
 " 45, Yorkville, Third avenue.
 " 46, Twenty-fifth street, near Bull's Head.
 " 47, Disbanded.
 " 48, Thirteenth street, near Sixth avenue.
 " 49, Harlem.
 " 50, Bloomingdale road, Harsenville.

HOSE COMPANIES.

- | | | | | |
|-----|-----|---|----------|--|
| No. | 1, | 4 | wheeled, | Duane near William street. |
| " | 2, | 2 | " | William, near Duane street. |
| " | 3, | 2 | " | Centre, near Hester street. |
| " | 4, | 2 | " | Attorney, near Delancey street. |
| " | 5, | 4 | " | Mercer, near Prince street. |
| " | 6, | 4 | " | Gouverneur, near Henry street. |
| " | 7, | 2 | " | Chrystie, near Stanton street. |
| " | 8, | 4 | " | Cedar, near Nassau street. |
| " | 9, | 4 | " | Mulberry, near Broome street. |
| " | 10, | 2 | " | Roosevelt, near Cherry street. |
| " | 11, | 2 | " | Jefferson Market, Sixth avenue. |
| " | 12, | 4 | " | Seventeenth street, near Ninth avenue. |
| " | 13, | 2 | " | Eldridge, near Division street. |

- No. 14, 2 wheeled, Elizabeth, near Bayard street.
 " 15, 2 " Essex Market, Grand street.
 " 16, 2 " Beaver, near Broad street.
 " 17, 4 " Fifth street, near Second avenue.
 " 18, 2 " Franklin Market, Old Slip.
 " 19, 2 " Cortlandt alley, near Canal street.
 " 20, 2 " John, near Dutch street.
 " 21, 2 " Henry, near Catharine street.
 " 22, 2 " Hester, near Allen street.
 " 23, 2 " Charles, near Hudson street.
 " 24, 2 " Renwick, near Spring street.
 " 25, 2 " Leonard street, near Broadway.
 " 26, 2 " Monroe, near Jefferson street.
 " 27, 2 " Corner of Vesey and Church streets.
 " 28, 2 " Chambers, near Centre street.
 " 29, 2 " Willet, near Rivington street.
 " 30, 2 " Bowery, near Thirteenth street.
 " 31, 2 " Willet, near Rivington street.
 " 32, 2 " Third street, near Bowery.
 " 33, 2 " Sullivan, near Prince street.
 " 34, 2 " Tenth street, near Avenue D.
 " 35, 2 " Mercer, near Bleeker street.
 " 36, 2 " Henry, near Catharine street.
 " 37, 2 " Monroe Market.
 " 38, 2 " Amity street, near Sixth avenue.

HYDRANT COMPANIES.

- No. 1, John A. Blackledge, foreman.
 " 2, Allen R. Jollie, "
 " 3, Daniel Cogger, "

HOOK AND LADDER COMPANIES.

- No. 1. Beaver, near Broad street.
 " 2, Chambers, near Centre street.

- No. 4, Eldridge, near Walker street.
“ 5, Corner of Delancey and Attorney streets.
“ 6, Mercer, near Prince street.
“ 7, Harlem.
“ 8, Disbanded.
“ 9, Disbanded.
“ 10, Third Avenue, Yorkville.

FIRE WARDENS.

Six in each of the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, and Seventeenth Wards.

§ 15. All ordinances, or parts of ordinances, inconsistent with the provisions of this ordinance, are hereby repealed.

Adopted by the Board of Aldermen, April 25, 1842.

Adopted by the Board of Assistants, May 2, 1842.

And received from his Honor the Mayor, June 22, 1842, without his approval or objections. The same, by virtue of the amended charter, became a law.

AN ORDINANCE *relative to an election to be held in the city of New York on the first Monday of June, 1842.*

Resolved, That the fifty-first section of the ordinance relating to the Fire Department, be and the same is hereby amended, by striking out the words, “By and with the consent of the Mayor.”

Adopted by the Board of Aldermen, July 6, 1842.

Adopted by the Board of Assistants, July 8, 1842.

Approved by the Mayor, July 13, 1842.

AN ORDINANCE *to regulate the Water-works of the city of New York.*

PASSED September 7, 1842.

TITLE IV.

Water Pur-
veyor.

§ 1. A Chief Engineer, a Superintendent of the Aqueduct Works, a Water Purveyor, and a Register of Rents, shall be appointed by the Common Council, to hold their respective offices during the pleasure of the Common Council, unless sooner removed for cause, by the Croton Aqueduct Board, with the concurrence of the Joint Croton Aqueduct Committee.

§ 2. The Chief Engineer, Superintendent, Water Purveyor, and Register of Rents shall be under the immediate direction of the Croton Aqueduct Board, and perform such other duties, not therein provided, as may be assigned to them by the said Croton Aqueduct Board.

§ 3. The Chief Engineer shall have, under the direction of the Croton Aqueduct Board, the general executive care and superintendence of the Croton Aqueduct works.

Duties of.

§ 4. It shall be the duty of the Superintendent and Water Purveyor to lay down all the distributing pipes, hydrants, and stop-cocks, under the direction of the Chief Engineer and Croton Aqueduct Board; to examine into, and to report to the Croton Aqueduct Board, all applications for water, and generally to do all such duty as may be assigned to them; and it shall be the duty of the Water Purveyor to attend all fires that may happen in the city; to provide against all unnecessary waste of water, and see

that all hydrants are closed at the termination of each conflagration.

Resolved, That the words "below Fourteenth street," in the last section of the law dividing the city into three fire districts, be stricken out. ^{Amend-}ment.

Adopted by the Board of Aldermen, October 24, 1842.

Adopted by the Board of Assistants, October 24, 1842.

Approved by the Mayor, October 25, 1842.

1843.

AN ORDINANCE *to amend an ordinance to regulate the water-works of the city of New York, passed September 7, 1842.*

Fire hy-
drants not to
be opened.

§ 1. No person or persons, except the Mayor, Aldermen, or Assistants of the respective wards, shall, without previous permission, in writing, from the Croton Aqueduct Board, unscrew or open any hydrant belonging or attached to the Croton Aqueduct Works, erected for the extinguishment of fires, except in cases of fires in the neighborhood, nor shall leave said fire hydrant open for a longer time than shall be limited in said permission, nor shall use the water for other purposes than may be mentioned in said permission, under the penalty of twenty-five dollars for each offense.

§ 2. (Relates to selling water for shipping.)

Penalty.

§ 3. Any penalty herein prescribed shall be imposed on the offenders in like manner as is provided in the first section of the seventh title of the ordinance hereby amended, in respect to the penalty therein prescribed, and in default of the payment, the offender shall be subject to the like punishment, by imprisonment, as is in the said section prescribed.

Street In-
spectors to
report viola-
tions of this
ordinance.

§ 4. It shall be the duty of the street inspectors, constables, marshals, police officers, and watchmen, to enforce the observance of this ordinance to the utmost of their abilities, and to make complaint of any violation thereof, to the proper authorities.

Passed the Board of Aldermen, March 27, 1843.

Passed the Board of Assistants, March 27, 1843.

Received from his Honor the Mayor, April 13, 1843, without his approval or objections thereto; therefore, under the provisions of the amended charter, the same became a law.

1844.

Resolved, That the salary of the Chief Engineer of the Fire Department be increased to one thousand five hundred dollars per annum, to take effect from the 1st November, 1844.

Salary of
Chief.

Approved by the Mayor, December 26, 1844.

Resolved, That the Water Purveyor shall perform all the duties heretofore appertaining to the duties of the Superintendent of Pipes, without any additional salary.

Water Pur-
veyor to per-
form duties
of Superin-
tendent of
Pipes.

Passed the Board of Aldermen, January 22, 1844.

Passed the Board of Assistants, January 29, 1844.

Received from his Honor the Mayor, February 23, 1844, without his approval or objections thereto; therefore, under the provisions of the amended charter, the same became adopted.

1845.

Change of name of "Committee on Fire and Water" to that of "Committee on Fire Department."

Name of Committee. *Resolved*, That the name and style of the "Committee on Fire and Water," be changed to the "Committee on the Fire Department."

Adopted by the Board of Aldermen, January 28, 1845.

Adopted by the Board of Assistants, February 3, 1845.

Approved by the Mayor, February 10, 1845.

Resolved, That the Clerk of the Common Council be directed to publish, in all the Corporation papers, for one week, section eight of the ordinance relative to fires, &c., passed in 1842, together with a notice to firemen, that the ordinance will be strictly enforced.

Engines running on sidewalks. *Resolved*, That the policemen and watchmen be directed to report to the Chief Engineer, all fire companies found violating the ordinance relative to running fire apparatus on the sidewalk, together, when practicable, with the name of the officer or member in command.

Adopted by the Board of Aldermen, April 23, 1845.

Adopted by the Board of Assistants, May 6, 1845.

Approved by the Mayor, May 8, 1845.

Resolution in relation to a suspended member taking command of a company.

Resolved, That the Chief Engineer be directed to notify the foreman of such companies as are wholly or in part disbanded, that in the event of any suspended member or officer of such company attempting to take command, he will be forthwith expelled from the department.

Suspended
members not
to take com-
mand.

Approved July 25, 1845.

1846.

Croton
water. *Resolved*, That the various engine, hose, and hook and ladder companies attached to the Fire Department, be granted the use of the Croton water, on paying the expenses of its introduction.

Adopted by the Board of Aldermen, May 25, 1846.

Adopted by the Board of Assistants, June 8, 1846.

Approved by the Mayor, June 10, 1846.

Resolved, That the fifth section of the ordinance passed June 22, 1842, to amend and alter the ordinances relative to fires and the Fire Department, be amended by striking out "Superintendent of Buildings," in the first line of the said section, and inserting "Chief Engineer."

Adopted by the Board of Aldermen, June 8, 1846.

Adopted by the Board of Assistants, June 15, 1846.

Approved by the Mayor, June 18, 1846.

Resolution as to number of men for second-class engines.

Number of
men. *Resolved*, That all second class, or eight and one half inch cylinder engines, be allowed fifty members.

Adopted by the Board of Aldermen, June 8, 1846.

Adopted by the Board of Assistants, June 15, 1846.

Approved by the Mayor, June 18, 1846.

1847.

AN ORDINANCE *in relation to repairs in the Fire Department.*

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

§ 1. All repairs to the fire-engine and fire apparatus, ^{Repairs to apparatus.} and engine, hose, and hook and ladder houses, shall be done under the direction of the Chief Engineer of the Fire Department, by and with the advice and consent of the Committee on Fire Department, to the extent and in the manner prescribed by the ordinance in relation to such repairs.

§ 2. It shall be the duty of the said Chief Engineer to ^{Bills for repairs.} submit all bills, for repairs done and materials purchased under his supervision, to the Committee on Fire Department, by whom they shall be approved before being presented to the Comptroller for payment.

§ 3. All ordinances, and parts of ordinances, inconsistent with this ordinance, are hereby repealed.

Adopted by the Board of Aldermen, August 2, 1847.

Adopted by the Board of Assistants, August 2, 1847.

Approved by the Mayor, August 5, 1847.

Resolved, That permission be granted to Hugh Downing ^{Fire telegraph.} and Royal E. House, to construct a line of telegraph, by

setting posts in the ground, and extending from Fort Washington, where they cross the Hudson river, to the Bloomingdale road, thence along said road to the Sixth avenue; thence along said avenue to the fire station at Jefferson market; and thence along said avenue to Amity street; thence to Sullivan street; thence through Sullivan and Broome streets to the fire stations at Centre and Essex markets; thence from Centre market through Centre street to the City Hall; and thence through Frankfort and William streets to the Merchants' Exchange; provided, however, that said Downing and House shall put up the necessary wire and apparatus, and keep the same in order, and give the free and perpetual use of the invention, for communicating alarms of fire from the City Hall to the different fire stations, and instruct the different bell-ringers in the use of said invention, and commence and continue the communication themselves, until the said bell-ringers are so instructed. And further provided, that they receive for such wire, apparatus, and the use of the invention, the sum of five hundred dollars; said amount to be in full for all the services hereinbefore mentioned. Said amount not to be paid until the said telegraph is in full and complete operation. And further provided, that they, the said grantees, shall put up such quality of posts as shall be approved by the Street Commissioner; said posts to be removed at any time when so ordered by the Common Council.

Proviso.

Free use to the city.

Further Proviso.

Five hundred dollars allowed for

Further proviso.

Adopted by the Board of Assistants, November 22, 1847.

Adopted by the Board of Aldermen, November 22, 1847.

Received from his Honor the Mayor, December 2, 1847, without his approval or objections thereto; therefore, under the provisions of the amended charter, the same became adopted.

Resolution to amend an ordinance to regulate the water-works of the city of New York, passed April 13, 1843.

Resolved, That the ordinance to amend an ordinance to regulate the water-works of the city of New York, passed April 13, 1843, be so amended that the first section shall read as follows :

§ 1. No person or persons, except the Mayor, Aldermen, and Assistants of the respective wards, shall, without previous permission, in writing, from the Croton Aqueduct Board, unscrew or open any hydrant belonging or attached to the Croton Aqueduct Works, except for the extinguishment of fires (except in cases of fires in the neighborhood), nor shall leave said fire-hydrant open for a longer time than shall be limited in said permission, nor shall use the water for other purposes than may be mentioned in said permission, under the penalty of not less than five dollars, or more than twenty-five dollars, for each offense, in the discretion of the magistrate before whom the complaint shall be made.

Hydrants
not to be
opened.

Adopted by the Board of Assistants, November 15, 1847.

Adopted by the Board of Aldermen, December 6, 1847.

Approved by the Mayor, December 9, 1847.

1848.

Salary of Chief. *Resolved*, That the salary of the Chief Engineer of the Fire Department be, and the same is hereby increased to two thousand dollars per annum.

Approved by the Mayor, July 8, 1848.

Resignation of C. V. Anderson, as Chief. *Resolved*, That the resignation of C. V. Anderson, Chief Engineer of the Fire Department, was accepted, to take effect from the time a successor is appointed.

Approved by the Mayor, November 22, 1848.

Appointment of A. Carson. *Resolved*, That Alfred Carson be, and he is hereby appointed Chief Engineer of the Fire Department, in place of Cornelius V. Anderson, resigned.

Approved by the Mayor, December 7, 1848.

Appointment of Assistant Engineer. *Resolved*, That Clark Vanderbilt be appointed an Assistant Engineer of the Fire Department, in place of Alfred Carson, appointed Chief Engineer.

Approved by the Mayor, December 23, 1848.

1849.

AN ORDINANCE *organizing the Departments of the Common Council.*

PASSED May 30th, 1849.

BUREAU OF PIPES AND SEWERS.

§ 375. This bureau, of which the Water Purveyor shall be the chief officer, is charged with the superintendence of the laying and repairing of the water-pipes, and the construction, repairing, and cleaning of the sewers and underground drains. Water Purveyor.

§ 376. The Water Purveyor shall, before entering upon the duties of his office, execute a bond to the Corporation, with one or more sureties, to be approved by the Comptroller, in the penal sum of two thousand dollars, conditioned for the faithful performance of the duties of his office. Bond.

§ 377. He shall make all estimates necessary to the laying and repairing of the water-pipes, and the construction, repairing, and cleaning of the sewers and underground drains, when required by the Croton Aqueduct Board. Pipes. Water

§ 378. He shall keep correct accounts of the time of the men employed, and the work upon which they are engaged, and the expense attending the same, when it is not done by contract, and shall report the same, under oath, once in each week, to the Croton Aqueduct Board. Ibid.

§ 379. He shall examine, audit, and certify to the Croton Aqueduct Board, all accounts for supplies furnished or Ibid.

work done under his supervision, and as to the fulfillment or breach of any contract to be performed under his direction.

To examine pipes. § 380. He shall, from time to time, examine the state of the water-pipes, sewers, and underground drains, and report all repairs thereof, which, in his judgment, may be necessary, to the Croton Aqueduct Board.

Under control of Croton Department. § 381. He shall, in all matters connected with his bureau, be under the control, direction, and supervision of the Croton Aqueduct Board, and in addition to the duties prescribed by this chapter, shall perform such other duties appertaining to the Croton Aqueduct Department, as may be required of him by that Board.

Chap. 4, Art. 3, Title 5, Part 2, of the ordinance approved by the Mayor, May 30, 1849.

THE BUREAU OF SUPPLIES FOR THE FIRE DEPARTMENT.

Bureau to have charge of constructing apparatus. § 279. This bureau, of which the Chief Engineer of the Fire Department shall be the chief officer,* is charged with the duty of constructing and repairing fire-engines, hose-carts, hooks and ladders, hose, and other machines and apparatus for the use of the Fire Department.

Chief to have charge of construction of apparatus. § 280. The Chief Engineer of the Fire Department shall take charge of, oversee, and superintend the constructing and repairing of the fire-engines, hose-carts, hooks and ladders, hose, and other machines and apparatus for the use of the Fire Department.

* Charter of April 2, 1849, sec. 13.

§ 281. He shall make all estimates necessary to, or connected with, the performance of the duties of this bureau, when required by the Commissioner of Repairs and Supplies. Estimates.

§ 282. He shall continually inspect the fire-engines, hose-carts, hooks and ladders, hose, and other machines and apparatus for the use of the Fire Department, and, with the consent of the Commissioner of Repairs and Supplies, shall repair the same, forthwith, when any repairs shall be necessary, except that where the expense of such repairs shall not exceed, in any one case, fifteen dollars, he may cause them to be made without the consent of that officer; but no repairs shall be made to a fire-engine or other machine for the use of the Fire Department, the expense of which shall exceed seventy-five dollars. Inspection of apparatus.

§ 283. He shall keep a correct account of the time of the men employed in his bureau, and of the work upon which they are engaged, and the expense attending the same, when it is not done by contract, and shall report the same, under oath, once in each week, to the Commissioner of Repairs and Supplies. Chief to keep an account of expense and report.

§ 284. He shall examine, audit, and certify to the Commissioner of Repairs and Supplies, all accounts for work done under his supervision, and as to the fulfillment or breach of any contract for work required to be done under his direction; and no requisition shall be drawn by the Commissioner of Repairs and Supplies for any bills, accounts, or contracts for constructing or repairing fire-engines, hose-carts, hooks and ladders, hose, or other machines or other apparatus, for the use of the Fire Department, unless certified by the Chief Engineer of the Fire Department. Certify amount of work.

Chief sub-
ject to Com-
missioner of
Repairs and
Supplies.

§ 285. He shall, in all matters connected with this bureau, be under the control, direction, and supervision of the Commissioner of Repairs and Supplies, who may approve or disapprove all accounts certified by him, and by whom alone all requisitions upon the Comptroller for the payment thereof shall be drawn.

Title 11, Part 2, of the ordinance approved May 30, 1849.

OF THE FIRE DEPARTMENT.

Organiza-
tion.

§ 459. The Fire Department shall continue to be organized as it now exists, and to exercise the powers, perform the duties, and enjoy the privileges conferred and imposed upon it by the charter of the city, and the various acts amending the same, by the laws of this State, and by the ordinances and resolutions of the Common Council.

Powers of
Chief.

§ 460. The Chief Engineer may take any fire-engine, hook and ladder, or hose-truck, from any company to which it is assigned, and place the same in the public yard, or assign it to another company, and shall, forthwith, report the same to the Common Council.

Insufficien-
cy of men in
a company.

§ 461. All firemen attached to a company, whose engine, hook and ladder, or hose-truck, shall have been ordered to the public yard, by reason of an insufficient complement of men to manage the same, shall be attached by the Chief Engineer to another company, to be designated by such firemen, or if they refuse to designate another company, the Chief Engineer shall report such refusal to the Common Council, for their action.

§ 462. If a fire company shall vote for the expulsion of

a fireman belonging thereto, the same shall be forthwith reported by the Chief Engineer to the Common Council, for their action. Vote of expulsion reported.

§ 463. All complaints by the Chief Engineer or Assistant Engineers, against firemen, for misconduct, in the performance of their duties, shall be, forthwith, reported to the Common Council, for their action. Misconduct.

§ 464. When a report shall be made to the Common Council, as provided in the last two sections, it shall not be finally acted upon by them, until it shall have been referred to a Committee, to ascertain and report the facts, with a full opportunity to the party complained of, to be heard in his defense. Reference to Committee.

Resolution as to salary of Water Purveyor, passed July 21, 1849.

Resolved, That the salary of the Water Register, in the Croton Aqueduct Department, be and the same is hereby fixed at one thousand five hundred dollars per annum ; that the salary of the Deputy Water Register, in the Croton Aqueduct Department, be, and the same is hereby fixed at one thousand dollars per annum ; that the salary of the Water Purveyor, in the Bureau of Pipes and Sewers, be, and the same is hereby fixed at one thousand five hundred dollars per annum. Water Purveyor, salary.

Resolution as to the compensation of Assistant Engineers of the Fire Department, &c., &c.

Resolved, That the compensation of the Assistant Engineers of the Fire Department, for the performance of the Compensation of Assistant Engineers.

duties of Fire Wardens, under and by virtue of the act entitled "An act for the more effectual prevention of fires in the city of New York, and to amend the acts heretofore passed for that purpose," passed March 7, 1849, be fixed at and after the rate of five hundred dollars per annum, each, to take effect from the time of entering of the said Assistant Engineers upon said duties, in accordance with said act.

Adopted by the Board of Aldermen, October 1, 1849.

Adopted by the Board of Assistants, October 8, 1849.

Approved by the Mayor, October 23, 1849.

1850.

Resolved, That a new fire district be erected, and that all that portion of the city of New York lying and being north of a line drawn through the centre of Twenty-second street, from the East to the North rivers, form such district.

Now fire districts.

Resolved, That an additional Assistant Engineer of the Fire Department be elected by said Department, and that the Clerk of the Common Council be, and he is hereby directed to notify the engineers and foremen of the Fire Department thereof.

Additional Assistant Engineer.

Resolved, That it be referred to the Engineers of the Fire Department to report a new plan for re-numbering the several fire districts of this city, and the plan for ringing the several fire alarm-bells for fires in said districts.

Now plan of numbering districts and ringing alarm-bells.

Adopted by the Board of Aldermen, January 4, 1850.

Adopted by the Board of Assistants, January 4, 1850.

Approved by the Mayor, January 5, 1850.

Resolved, That the draft of an act to create "Fire Wardens," submitted by a Committee of the Representatives of the Fire Department, be, and is hereby approved, and the Counsel be directed to forward the same to the Legislature, requesting its adoption.

Act as to Fire Wardens.

Adopted by the Board of Aldermen, March 11, 1850.

Adopted by the Board of Assistants, March 18, 1850.

Approved by the Mayor, March 20, 1850.

AN ORDINANCE in relation to the election of Assistant Engineers of the Fire Department of the City of New York.

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

Election of
Assistant
Engineers.

§ 1. The nomination of the Assistant Engineers of the Fire Department, shall be made by the firemen, by ballot, every three years, and the persons receiving the greatest number of votes shall be respectively, thereupon, entitled to a nomination to the Common Council, for appointment to such office.

New elec-
tion, how or-
dered.

§ 2. The Common Council may, at their pleasure, or when a new election shall be asked for by a majority of the firemen, order a new election for one or more of such Assistant Engineers, and the person or persons nominated at such new election shall, when duly confirmed, serve only for and during the remainder of the term or terms of the person or persons in whose place or places he or they may respectively be elected.

§ 3. All ordinances or parts of ordinances conflicting herewith, are hereby repealed.

Question
of election
submitted
to approval
of firemen.

§ 4. The question of electing the Assistant Engineers for three years, shall be submitted, for the approval of the firemen of the city of New York, at the election about to be held for such Assistant Engineers. The tickets which shall be polled at the said election, shall contain either the words, "In favor of three years," or, "Against three years," and if a majority of the said firemen shall vote the ticket, "In favor of three years," this ordinance shall be-

come a law; if a majority of such firemen shall vote "Against three years," this ordinance shall be void.

Adopted by the Board of Aldermen, March 4, 1850.

Adopted by the Board of Assistants, March 18, 1850.

Approved by the Mayor, March 22, 1850.

Resolved, That the following ordinance be, and the same is hereby adopted :

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

§ 1. It shall be the duty of the foreman and secretary of the several fire companies of said city, to make an annual return of the members of their respective companies to the Chief Engineer of the Fire Department, as heretofore; such returns shall, however, be made under the oath of the foreman and secretary, that the persons therein named as members of their respective companies, are actual and active members thereof. And it shall be the duty of the Clerk of the Common Council, on the said return being presented by the said Chief Engineer to the Common Council, to correct the Register of the Firemen in his office, in accordance with said returns.

Foreman and secretary of the several companies to make annual returns to the Chief.

§ 2. All ordinances, or parts of ordinances, inconsistent herewith, are hereby repealed.

Adopted by the Board of Aldermen, April 15, 1850.

Adopted by the Board of Assistants, April 17, 1850.

Approved by the Mayor, April 19, 1850.

Resolution to elect an additional Assistant Engineer of the Fire Department, who shall reside in the Twelfth Ward.

Assistant
Engineer for
Twelfth
Ward.

Resolved, That an additional Assistant Engineer of the Fire Department be elected hereafter by said department, who shall, at the time of his election, reside in the Twelfth Ward of the city of New York ; said Assistant Engineer to serve for the same term as the Assistant Engineers of the said department heretofore elected, and in case of his removal from said ward, his office to become thereby vacant, and the same to be filled by a new election.

Resolved, That the Clerk of the Common Council be, and he is hereby directed to notify the engineers and foremen of the Fire Department of the passage of the foregoing resolution.

Adopted by the Board of Aldermen, June 7, 1850.

Adopted by the Board of Assistants, June 8, 1850.

Approved by the Mayor, June 18, 1850.

AN ORDINANCE *dividing the City of New York into Fire Districts.*

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

Eight dis-
tricts.

§ 1. The city of New York shall be divided into eight fire districts.

Boundary
of First Dis-
trict.

§ 2. The first fire district shall comprise all that part of said city lying north of Twenty-second street, and east of the Sixth avenue.

§ 3. The second fire district shall comprise all that part of the city lying north of Twenty-second street, and west of the Sixth avenue. Second District.

§ 4. The third fire district shall comprise all that part of the city bounded and contained as follows : Beginning at the foot of North Moore street, on the North river, and extending easterly, in a straight line, to the corner of Leonard and Church streets ; thence northerly, in a straight line, to the corner of Eighth avenue and Twenty-second street ; thence, westerly, along Twenty-second street to the North river ; thence, southerly, along the North river, to the place of beginning. Third District.

§ 5. The fourth fire district shall comprise all that part of the city bounded and containing as follows : Beginning at the corner of Leonard and Church streets ; running thence, northerly, in a straight line, to the corner of Eighth avenue and Twenty-second street ; thence, easterly, along Twenty-second street to Lexington avenue ; thence, southerly, in a straight line, to the corner of Elm and Leonard streets ; and thence, westerly, in a straight line, to the corner of Church and Leonard streets. Fourth District.

§ 6. The fifth fire district shall comprise all that part of the city bounded and containing as follows : Commencing at the corner of Elm and Leonard streets, and running thence, northerly, in a straight line, to the corner of Lexington avenue and Twenty-second street ; thence easterly, along Twenty-second street to the East river ; thence, southerly, and along the East river to Fourteenth street ; thence, south-westerly, in a straight line, to the corner of Leonard and Orange streets ; thence, westerly, in a straight line, to the place of beginning. Fifth District.

§ 7. The sixth fire district shall comprise all that part

Sixth Dis- of the city bounded and containing as follows : Beginning
trict. at the corner of Leonard and Orange streets, and running thence, easterly, in a straight line, to the foot of Market street, on the East river ; thence along the East river to Fourteenth street ; thence, south-westerly, in a straight line, to the place of beginning.

Seventh § 8. The seventh fire district shall comprise all that part
District. of the city bounded and containing as follows : Beginning at the foot of Market street, on the East river, and running thence, westerly, in a straight line, to the corner of Leonard and Elm streets ; thence, southerly, along a straight line, intersecting Wall street at the junction of Nassau, Wall, and Broad streets, and continued through the Battery to the North river.

Eighth § 9. The eighth fire district shall comprise all that part
District. of the city bounded and containing as follows : Beginning at the foot of North Moore street, on the North river, and running thence easterly, in a straight line to the corner of Leonard and Elm streets ; thence, southerly, along a straight line intersecting Wall street, at the junction of Nassau, Wall, and Broad streets ; and continued through the Battery to the North river.

Signals on § 10. In case of fire in the first fire district, the signal
alarm bells. shall be one stroke from the alarm-bells.

In the second district, two strokes.

"	third	"	three	"
"	fourth	"	four	"
"	fifth	"	five	"
"	sixth	"	six	"
"	seventh	"	seven	"
"	eighth	"	eight	"

§ 11. All the engine, hose, and hook and ladder companies located in the first and second districts shall be required to do duty in both the said districts. Apparatus, where to perform duty.

All the engine, hose, and hook and ladder companies located in the third and fourth districts shall be required to do duty in both said districts.

All the engine, hose, and hook and ladder companies located in the fifth and sixth districts, shall be required to do duty in both said districts.

All the engines, hose, and hook and ladder companies located in the seventh and eighth districts shall be required to do duty in both said districts.

§ 12. This ordinance shall take effect on the 1st of January, 1851.

Adopted by the Board of Aldermen, November 9, 1850.

Adopted by the Board of Assistants, November 11, 1850.

Approved by the Mayor, November 25, 1850.

1851.

Fire Alarm Telegraph.

Fire alarm
telegraph.

On the 25th of January, 1851, a resolution was approved by his Honor the Mayor, directing the Commissioner of Repairs and Supplies to contract with Richard H. Bull for the immediate completion of the telegraph wire and apparatus to all the fire-alarm stations in this city; and the sum of six hundred dollars was appropriated to pay for the same.

1852.

AN ORDINANCE *prescribing the duties of policemen in case of fires.*

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

§ 1. It shall be the duty of the policemen on duty, Policemen to notify firemen of fires. whenever an alarm of fire shall be raised during the night, to give notice thereof to the several firemen residing within their respective beats, at their places of residence, who, in accordance with the fire regulations, ought to turn out on occasion of such alarm.

§ 2. Each fireman shall deliver to the captain of police for the district in which he shall reside, a statement of his name and place of residence, and the captains of police shall furnish the several policemen under their charge with the names and residences of firemen residing within the respective beats of such policemen; and it shall be the duty of the policemen to notify all such persons in accordance with the provisions of section one of this ordinance. Firemen to deliver their names and residences to Captains of Police.

§ 3. This ordinance shall take effect immediately.

Adopted by the Board of Aldermen, Feb. 6, 1852.

Adopted by the Board of Assistants, Feb. 9, 1852.

Received from his Honor the Mayor, February 18, 1852, without his approval or objections thereto; therefore, under the provisions of the amended charter, the same became adopted.

1853.

Third-class
engines to be
allowed forty
men.

Resolved, That all third-class engines be, and they are hereby allowed, in future, ten additional men, so as make their full complement forty men.

Adopted by the Board of Aldermen, February 16, 1853.

Adopted by the Board of Assistants, March 7, 1853.

Approved by the Mayor, March 8, 1853.

Apparatus
not to be run
on side-
walks.

Resolved, That the Chief Engineer of the Fire Department be, and he is hereby directed to notify the foreman of each and every engine, hose, and hook and ladder company, that after the passage of this resolution, the running of any engine, hose-carriage, or hook and ladder truck on the sidewalk, unless ordered by the Chief Engineer, or an assistant engineer, shall be deemed a sufficient cause to disband such engine, hose, or hook and ladder company.

Adopted by the Board of Assistants, May 13, 1853.

Adopted by the Board of Aldermen, May 16, 1853.

Approved by the Mayor, May 17, 1853.

Resolution as to the salary of Fire Wardens.

Whereas, An act passed the Legislature, July the 18th, 1853, authorizing the Common Council to establish the amount to be paid to the Fire Wardens, at a sum not to exceed five hundred dollars per annum to each Fire Warden,

in lieu of two hundred and fifty dollars, which they now receive; therefore, be it

Resolved, That the annual compensation to be paid to the Fire Wardens shall be the sum of five hundred dollars per annum each, to take effect from the date of the passage of said act by the Legislature. Compensation to Fire Wardens.

Adopted by the Board of Aldermen, September 7, 1853.

Adopted by the Board of Assistants, September 9, 1853.

Approved by the Mayor, October 3, 1853.

AN ORDINANCE *for the appointment of Bell-ringers at the several District Fire Alarm-bells.*

Be it ordained by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened:

§ 1. The Mayor of the city of New York shall appoint three persons to act as bell-ringers, at each of the different alarm districts in the city of New York. Such persons shall be selected from among the exempt firemen of the city. Bell-ringers.

§ 2. The bell-ringers, so appointed, shall receive as remuneration for their services the sum of five hundred dollars each, per annum, and shall be subject to removal by the Mayor, for misdemeanor, or negligence of duty. Remuneration.

§ 3. All ordinances, parts of ordinances, or resolutions, conflicting or inconsistent with this ordinance, shall be, and the same are hereby repealed. Repealing clause.

§ 4. This ordinance shall take effect immediately.

Adopted by the Board of Assistants, May 18, 1853.

Adopted by the Board of Aldermen, October 12, 1853.

Approved by the Mayor, October 15, 1853.

AN ORDINANCE *to amend an ordinance relative to the appointment of Chief Engineer of the Fire Department.*

Be it ordained by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened :

Election of
Chief.

§ 1. The Chief Engineer of the Fire Department shall be elected, every three years, by the members of the Fire Department, by ballot, and the person receiving the greatest number of votes for the office, shall thereupon be entitled to a nomination to the Common Council for appointment.

When to
take place.

§ 2. The election for the selection of Chief Engineer of the Fire Department, under this ordinance, shall take place on the first Tuesday after the first Monday in February, 1854, and thereafter every succeeding three years.

§ 3. All ordinances, or parts of ordinances, inconsistent with this ordinance, are hereby rescinded and repealed.

Adopted by the Board of Aldermen, December 5, 1853.

Adopted by the Board of Assistants, December 6, 1853.

Approved by the Mayor, December 9, 1853.

AN ORDINANCE *to amend an ordinance, entitled, "An ordinance for the appointment of Bell-ringers at the several District Fire Alarm-bells.*

PASSED October 15th, 1853.

Be it ordained by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened :

Bell-ring-
ers' salary.

§ 1. Section two of said ordinance is hereby amended, by striking out "five hundred dollars," and inserting, in lieu thereof, six hundred dollars.

§ 2. The Comptroller is hereby authorized and directed to pay the salaries to the bell-ringers, appointed in accordance with the directions of section one of this ordinance, out of the appropriation for the Fire Department.

Adopted by the Board of Aldermen, December 29, 1853.

Adopted by the Board of Assistants, December 30, 1853.

Approved by the Mayor, December 31, 1853.

Resolution as to fire and police telegraph.

Resolved, That the Commissioner of Repairs and Supplies be authorized to employ a competent person to take charge of the fire and police telegraph, of this city, at a salary not to exceed one thousand dollars, which amount is hereby appropriated therefor.

Telegraph.
Salary.

Adopted by the Board of Aldermen, December 29, 1853.

Adopted by the Board of Assistants, December 30, 1853.

Received from his Honor the Mayor, December 31, 1853, without his approval, or objection thereto; therefore, under the provisions of the amended charter, the same became adopted.

1854.

Resolution as to qualifications necessary to become a fireman.

Whereas, It is alleged that persons, not citizens of the United States, and others not twenty-one years of age, have been elected, and are now members of the New York Fire Department, thus violating the law of the State of New York, relative to the Fire Department of this city, passed April 9, 1813; also, section first, of the ordinance of the Common Council, for the regulation of the Fire Department, passed June 22, 1842; therefore, be it

Firemen to
be twenty-
one years of
age.

Resolved, That the Chief Engineer of the Fire Department be, and he is hereby ordered not to receive any annual returns from companies, but such as conform to section first of the ordinance, passed June 22, 1842, relative to the Fire Department, as follows: "The Fire Department of the City of New York shall consist of a chief engineer, assistant engineers, fire-engine men, hose men, hook and ladder and hydrant men, who shall be citizens of the United States, of the age of twenty-one years, and upward;" and that in future he receive no return of members to fill the vacancies in companies, unless the foreman and secretary make affidavit that such persons are citizens of the United States, and twenty-one years of age or upward.

Citizens of
U. States.

Passed July 13, 1854.

Resolutions as to qualifications necessary to become firemen.

Resolved, That all persons who may in future be selected to fill vacancies in fire companies, shall present to the office of the Chief Engineer a certificate of such election, signed by the foreman and secretary of the company in which he has been selected; and that said candidate, before the Chief Engineer presents his name to the Common Council, shall make affidavit that he is a citizen of the United States, is twenty-one years of age; that it is his intention to perform active duty as a fireman in the company in which his name is enrolled, and that he will promote subordination in the department.

Fireman's
certificate.

Twenty-one
years of age.

Resolved, That so much of the resolution, adopted by the Common Council and approved by the Mayor, July 13, 1854, requiring the foremen and secretaries of companies to make affidavit as to the citizenship and age of candidates, be, and the same is hereby repealed.

Repeal.

Adopted by the Board of Aldermen, September 28, 1854.

Adopted by the Board of Councilmen, October 9, 1854.

Approved by the Mayor, October 11, 1854.

Resolution as to number of men allowed fire companies.

Resolved, That the complement of men allowed the different engine, hose, and hook and ladder companies shall be as follows, viz.:

First class engines.....	60 men.	Number of men allowed companies.
Second " "	50 "	
Third " "	40 "	
Hose companies	25 "	
Hook and ladder companies.....	40 "	

Hydrant companies to remain as they now are, and the Chief Engineer is hereby directed not to receive any more returns of members elected in the various fire companies, until the membership of each conforms to the before-mentioned standard.

Adopted by the Board of Councilmen, Sept. 20, 1854.

Adopted by the Board of Aldermen, November 9, 1854

Approved by the Mayor, November 10, 1854.

1855.

Resolved, That the Chief Engineer is hereby instructed not to receive the returns of any persons who may hereafter be organized as a fire company, until the said company is provided with a location and apparatus, by the Common Council, and to date the said returns to the Common Council, for confirmation, from the time the said company is fully ready to perform active duty.

The Chief Engineer not to receive returns of persons who are not provided with location and apparatus, &c.

Adopted by the Board of Councilmen, March 21, 1855.

Adopted by the Board of Aldermen, March 29, 1855.

Approved by the Mayor, March 31, 1855.

RESOLUTION AS TO ALLOWING ADDITIONAL MEN TO AMERICUS ENGINE NO. 6.

APPROVED April 5, 1855.

Resolved, That Americus Engine Company No. 6 be, and they are hereby allowed ten additional men.

Engine 6 allowed additional men.

RESOLUTION AS TO HYDRANT COMPANIES.

Resolved, That the Chief Engineer of the Fire Department be, and he is hereby directed not to receive the returns of any members of hydrant companies, who may join after the passage of this resolution.

Chief Engineer of the Fire Department is hereby instructed not to receive the returns of any members of Hydrant Companies.

Adopted by the Board of Aldermen, March 19, 1855.

Adopted by the Board of Councilmen, April 20, 1855.

Approved by the Mayor, April 21, 1855.

RESOLUTION AS TO AMOUNT OF HOSE TO BE CARRIED BY
A COMPANY.

APPROVED May 7th, 1855.

Length of
hose to be
carried.

Resolved, That hereafter all hose companies shall carry not less than nine lengths of hose, and the Chief Engineer is hereby directed to notify all hose companies to comply with this resolution immediately after the passage thereof.

RESOLUTION AS TO FURNISHING THE FIRE COMMISSIONERS
WITH FIRE LAWS.

Fire Com-
missioners to
be furnished
with a copy
of City Laws
by Davies.

Resolved, That the Fire Commissioners be furnished with a copy of the Laws of the City of New York, compiled by Mr. Davies.

Adopted by the Board of Councilmen, May 14, 1855.

Adopted by the Board of Aldermen, May 16, 1855.

Approved by the Mayor, May 17, 1855.

RESOLUTION AS TO FURNISHING STATIONERY, &c.

Comptrol-
ler to furnish
stationery.

Resolved, That the Comptroller be, and he is hereby directed to furnish the Fire Commissioners with a sufficient quantity of stationery, blanks, &c., necessary for the performance of their duties.

Adopted by the Board of Councilmen, May 11, 1855.

Adopted by the Board of Aldermen, May 16, 1855.

Approved by the Mayor, May 17, 1855.

RESOLUTION AS TO DIES AND BADGES.

Resolved, That the Commissioner of Repairs and Supplies be, and he is hereby directed to advertise for proposals for two dies, and a sufficient number of badges, of the size, form, and material, for the use of the Fire Department, as adopted by the committees appointed for that purpose, and submit the contract for the same to the Common Council for confirmation.

Commissioner of Repairs and Supplies directed to advertise for dies.

Adopted by the Board of Councilmen, May 21, 1855.

Adopted by the Board of Aldermen, May 23, 1855.

Approved by the Mayor, May 25, 1855.

AN ORDINANCE *for the better regulation of the Firemen of the City of New York.*

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

§ 1. All members of the New York Fire Department shall hereafter, when on duty as firemen, wear the leather cap as heretofore used, or a badge as hereinafter provided.

Firemen to wear cap or badge.

§ 2. The badge mentioned in the preceding section shall be made of Prince's metal, bearing the words "New York Fire Department," and each badge shall bear a distinct number, in raised figures thereon, of white metal; and the badge to be worn by exempt firemen, as provided for in section third of this ordinance, shall be composed of white metal, with the figures thereon of Prince's metal, but in all other respects to conform to the badge herein described for

Badges to be worn, and their inscriptions.

use by the active members of the department; said badges shall be struck from separate dies, which shall be exclusively the property of the Corporation of the City of New York, and shall be placed in the custody of the clerk of the Common Council; and all of such badges shall be numbered as the Commissioners of the New York Fire Department may direct.

Badges to be deposited with the Commissioners of the New York Fire Department.

§ 3. The said badges shall be deposited with the Commissioners of the New York Fire Department, who shall have sole charge of the distribution of the same; and it shall be the duty of the said Commissioners to keep a register of the names of all persons who now are, or who may hereafter become members of the New York Fire Department, and of the number of the company to which said persons are attached; and also of the names of such exempt firemen as may, in writing, be permitted by the said Commissioners to wear the badges aforesaid, and of the number of the badge delivered to each of said firemen, or exempt firemen.

Badges to be granted to active and exempt firemen.

§ 4. It shall be the duty of the Clerk of the Common Council to certify, in writing, the names of all persons who may be appointed firemen; whereupon it shall become the duty of the said Commissioners to deliver to each of them, one of the badges aforesaid; and the said Commissioners shall also deliver one of the aforesaid badges to each of such exempt firemen, as may, by virtue of section 16, of an act of the Legislature of the State of New York, entitled, "An act for the better regulation of the firemen in the city of New York," passed March 29th, 1855, be permitted by the said Commissioners, to wear the same.

Badges to be the exclusive property of the city.

§ 5. The badges herein mentioned, shall be the exclusive property of the city of New York; and when any member

of the Fire Department shall resign or be removed therefrom, it shall be the duty of the foreman and secretary of the company to which such member was attached, to make a return of such removal or resignation forthwith, to the Chief Engineer, together with the badge formerly worn by such member ; and the Chief Engineer shall, on the first of every month, report to the Commissioners aforesaid, the names of such members of the Fire Department as shall have resigned or been removed therefrom since his last report, and shall, with said report, return to the said Commissioners the badges worn by such members.

§ 6. If the foreman and secretary of any company, or either of them, shall fail to comply with the provisions of the preceding section, in relation to the return of badges, no return of members elected by such company shall be received therefrom, unless good and satisfactory cause shall be shown to the Commissioners why said badges are not returned ; and should any member of the Fire Department lose his badge, it shall be the duty of the Commissioners to inquire into the circumstances of the case, and unless they are satisfied that such loss was without fault on the part of the said member, they shall have power to suspend or remove him from the department in their discretion, but should the loss be satisfactorily accounted for to the said Commissioners, then they shall have the power to grant a new badge with a different number.

Badges to
be returned.

§ 7. Every exempt fireman to whom permission shall be given by the said Commissioners of the New York Fire Department, to wear the aforesaid badge, shall have the said permission renewed some time during the month of May, in each year, otherwise such permission shall be deemed revoked, and the said Commissioners may, at any

Exempt
firemen to
have badges
renewed.

time, revoke any permission so granted by them, but in case such permission is not renewed, or is revoked, it shall be the duty of such exempt fireman to restore the badge previously worn by him to the said Commissioners.

Fines for
not comply-
ing with the
foregoing
sections.

§ 8. Any member of the New York Fire Department, or exempt fireman, who shall violate any of the foregoing sections of this ordinance, shall be subject to a fine of not less than twenty-five, or over two hundred and fifty dollars, and to imprisonment for the term of ten days; and all fines so collected, shall be paid over to the Trustees of the New York Fire Department Fund.

Police not
to permit
persons to
pass line two
hundred feet
from fire, &c.

§ 9. It shall be the duty of the police, when a fire occurs, to form a line, at least two hundred feet distant from the said fire, on either side thereof; and they shall not, under any circumstances, permit any person to pass said line, unless said person shall wear the uniform or badge of the Fire Department, the uniform of the insurance patrol, or be a member of the Common Council, a member of the Police Department, or an owner or resident of property within the prescribed lines.

Police to
remove per-
sons who are
not members
of the Fire
Department.

§ 10. It shall be the duty of the police to promptly remove from within the said lines, all persons not designated in the last preceding section; and all persons refusing to retire, at the request of a policeman, from within the said lines, shall be deemed guilty of a misdemeanor, and forthwith arrested.

Ordinances
to be re-
pealed.

§ 11. All ordinances, and parts of ordinances, so far as the same are inconsistent with any or all of the provisions of this ordinance, are hereby repealed.

§ 12. This ordinance shall take effect immediately.

Adopted by the Board of Councilmen, June 8, 1855.

Adopted by the Board of Aldermen, June 13, 1855.

Approved by the Mayor, June 14, 1855.

AN ORDINANCE *to create a Messenger to the Board of Commissioners of the New York Fire Department.*

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

§ 1. The Commissioners of the New York Fire Department shall nominate, and the Common Council shall appoint, a suitable person to be a messenger. The Commissioners of the Fire Department to nominate a messenger.

§ 2. The said messenger shall have charge of the meeting-room of said Commissioners, and keep the same in order; shall have the charge of the door, at all meetings, and shall deliver all notices and documents, as may be required by said Commissioners, and perform such other duties as they may deem necessary. Duties of messenger.

§ 3. The said messenger shall receive a salary of three hundred dollars per annum. Salary of messenger.

§ 4. A majority of said Commissioners may, at any time, remove said messenger for the non-performance or neglect of any of his duties. Power to remove messenger.

Adopted by the Board of Councilmen, Sept. 24, 1855.

Adopted by the Board of Aldermen, Nov. 5, 1855.

Approved by the Mayor, Nov. 7, 1855.

Resolved, That the salary of the Chief Engineer of the Fire Department be increased to the sum of three thousand dollars per annum ; the same to date from the approval of this resolution by the Mayor. Salary of the Chief Engineer to be increased.

Adopted by the Board of Councilmen, Oct. 5, 1855.

Adopted by the Board of Aldermen, Nov. 8, 1855.

Approved by the Mayor, Nov. 10, 1855.

Discharge
certificates.

Resolved, That Mr. David T. Valentine, Clerk to the Common Council, be directed to cause an affidavit to be made, by the party demanding a discharge certificate, setting forth the facts that he has discharged his duty as a fireman according to the laws regulating the Fire Department, and that there are no charges pending against him for insubordination, or for any violation of the by-laws of the company to which he belonged; also a certificate of the President of this Board, that no charges are then pending before them against the applicant.

Adopted by the Board of Aldermen, Nov. 19, 1855.

Adopted by the Board of Councilmen, Dec. 19, 1855.

Approved by the Mayor, Dec. 20, 1855.

AN ORDINANCE. BE IT ORDAINED, *by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened*:

§ 1. Section 3 of an ordinance for the better regulation of the firemen of the city of New York, approved June 14th, 1855, is hereby altered so as to read as follows:

The Chief
Engineer of
the Fire De-
partment of
members of
the Fire De-
partment.

§ 3. The said badges shall be deposited with the Chief Engineer of the New York Fire Department, who shall, under the direction of the said Commissioners, have charge of the distribution of the same; and it shall be the duty of the Chief Engineer to keep a register of all the names of all persons who are now, or who may hereafter become members of the New York Department; and of the number of the company to which said persons are attached, and the number of each badge delivered to each of said firemen; and the said Commissioners shall also keep a register

of the names of such exempt firemen as may, in writing, be permitted by said Commissioners to wear the badges aforesaid, and of the number of the badge delivered to each of said exempt firemen.

§ 2. Section 4 of said ordinance is hereby altered to read as follows :

§ 4. The said Commissioners shall also deliver one of the aforesaid badges to each of such exempt firemen as may, by virtue of section sixteen of an act of the Legislature of the State of New York, entitled, "An Act for the better regulation of the firemen of the city of New York," passed March 29th, 1855, be permitted by said Commissioners to wear the same.

Commissioners to grant badges to exempt firemen.

§ 3. Section 5 of said ordinance is hereby altered to read as follows :

§ 5. The badges herein mentioned shall be the exclusive property of the city of New York; and when any member of the Fire Department shall resign or be removed therefrom, it shall be the duty of the foreman and secretary of the company to which such member was attached, to make a return of such removal or resignation, forthwith, to the Chief Engineer, together with the badge formerly worn by such member; and the Chief Engineer shall, on the first of every month, report to the Commissioners aforesaid, the names of such members of the Fire Department as shall have resigned, or been removed therefrom, since his last report.

Badges to be returned to the Chief Engineer

Adopted by the Board of Aldermen, December 6, 1855.

Adopted by the Board of Councilmen, December 26, 1855.

Approved, by the Mayor, December 28, 1855.

AN ORDINANCE *creating additional Engineers of the New York Fire Department.*

Election of
Assistant En-
gineers.

§ 1. The firemen of the city of New York shall hold an election, to nominate to the Common Council, in the manner as now prescribed by law, two Assistant Engineers of the Fire Department, both of whom shall reside in that section of the city lying between Twenty-second and Eighty-sixth streets, one of whom shall reside east, and the other west of Sixth avenue.

Expiration
of the term
of Assistant
Engineers.

§ 2. The said election shall take place on or before the first day of May, 1856; and the engineers so nominated to the Common Council, their term of office shall expire at the same time as the assistant engineers elected at the election held in the month of March, 1856.

Adopted by the Board of Councilmen, April 25, 1856.

Adopted by the Board of Aldermen, May 5, 1856.

Approved by the acting Mayor, May 6, 1856.

AN ORDINANCE *to amend the Ordinance for the better regulation of the Firemen of the City of New York. Approved by the Mayor, June 14th, 1855.*

Section 1 is hereby amended to read as follows :

Firemen to
wear fire-
caps or bad-
ges.

SEC. 1. All members of the New York Fire Department, and all exempt members, shall, hereafter, when on duty as firemen, or at fires, wear the leathern cap, as heretofore used, or a badge, as hereinafter provided, which said badge shall be worn in a plain, conspicuous manner;

on the breast, and shall be worn and visible during the whole time that such member or exempt member shall remain at the fire; any fireman neglecting or refusing to wear his cap or badge, as above specified, shall be subject to a ^{Penalty for neglect of same.} suspension or expulsion from the department; and any exempt fireman so refusing or neglecting shall be subject to a fine not less than twenty-five or over two hundred and fifty dollars, and imprisonment not less than ten days; and all fines so collected shall be paid over to the Trustees of the New York Fire Department Fund.

Adopted by the Board of Councilmen, May 12, 1856.

Adopted by the Board of Aldermen, July 8, 1856.

Approved by the Mayor, July 10, 1856.

Resolved, That the annual amount allowed to each fire ^{Amount allowed each company for gas.} company for gas, be increased to the sum of forty dollars (\$40), to take effect from the passage of this resolution.

Adopted by the Board of Aldermen, August 12, 1856.

Adopted by the Board of Councilmen, August 13, 1856.

Approved by the Mayor, August 16, 1856.

AN ORDINANCE.—*The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows:*

§ 1. No person or persons shall, after the passage of this resolution, store any fireworks, of any kind or description, other than Chinese fire-crackers, within the fire limits ^{Prohibition of storing fireworks within certain limits.} of the city of New York, except as is hereinafter provided.

Kinds of fireworks may be kept by permission of the Chief Engineer.

§ 2. Fireworks, excepting colored pot and lance wheels and other works of brilliant colored fires, not exceeding in value one thousand dollars, may be kept for retailing within the fire-limits, from the tenth day of June till the tenth day of July of each year, and no longer, on a written permission to be granted by the Chief Engineer of the Fire Department.

Penalty for violations of this ordinance, proceeds to be paid to the New York Fire Department Fund.

§ 3. If any fireworks are kept in violation of the provisions of this ordinance, the same may be seized or taken by any police officer of the said city, upon the order of the Mayor, or Captain of Police, or any one of the Fire Wardens; and the same shall be kept by such Mayor, Captain, or Fire Warden, upon whose order the same were taken, at some suitable place beyond the fire limits, and sold at public auction, within one week after such taking; three days' notice of the time and place of such sale shall be given to the person or persons from whose possession the same were taken, and the proceeds, after deducting expenses of conveyance, storage, and sale, shall, within one week after the sale, be paid over by the person ordering the seizure, to the Treasurer of the Fire Department Fund, for the use and benefit of the said fund.

Adopted by the Board of Councilmen, June 11, 1856.

Adopted by the Board of Aldermen, October 17, 1856.

Approved by the Mayor, October 23, 1856.

Clerk to the Board of Fire Commissioners, salary increased.

Resolved, That the salary of the Clerk of the Board of Commissioners of the New York Fire Department be, and the same is hereby increased from the sum of five hundred dollars per annum to the sum of eight hundred dollars per annum.

Adopted by the Board of Councilmen, November 17, 1856.

Adopted by the Board of Aldermen, December 1, 1856.

Approved by the Mayor, December 4, 1856.

Resolved, That the Commissioner of Repairs and Supplies be, and he is hereby directed forthwith to advertise for proposals to furnish for the use of the city, two steam fire-engines, to be constructed according to the specifications and drawings hereto annexed, and that the sum of seventeen thousand dollars be, and the same is hereby appropriated therefor.

Commissioner of Repairs and Supplies directed to advertise for proposals for two steam fire-engines.

Resolved, That the proposition of Messrs. Lee & Larned, offering to the city the use of their steam fire-engines, on condition that the same shall be put on duty at the expense of the city, be, and the same is hereby accepted, and that the Chief Engineer be requested to report to the Common Council what is necessary to bring said engine promptly into effective use.

Messrs. Lee & Larned offering to the city the use of their steam fire-engines, to be put on duty at the expense of the city.

SPECIFICATIONS

For two steam fire-engines to be furnished for the use of the Fire Department of the City of New York.

Said engines shall be constructed with Lee & Larned's annular steam-boiler, of the kind used in their present engine, and represented in the accompanying drawings, figures 3 to 9, inclusive; said boilers in each engine to have not less than three hundred and sixty feet of fire surface, and to furnish sufficient power to discharge at least five hundred and fifty gallons per minute, when throwing

Specifications for the use and construction of the steam fire-engines.

through an inch and three-eighths pipe, or for the equivalent of that duty in smaller streams; to be of the best materials and workmanship; the ultimate strength or breaking strain to be not less than four hundred and fifty pounds to the square inch, and to be safe under a working-pressure of one hundred and fifty pounds to the square inch; to be fitted with all necessary mountings, including safety-valve, pressure-gauge, and gauge-cocks, and to be well clothed and handsomely finished; to be supplied by an independent feed-pump, from a separate water-tank; the feed-water to be heated on its passage to the boiler, by passing through a heater immersed in the escape-steam from the engines.

They shall be furnished each with two steam cylinders, of at least seven inches bore and fourteen inches stock, with reversing gear and adjustable cut-off, acting directly on the main or pump-shaft, by cranks, as shown in figures 17 and 18 of the accompanying drawings, in which, C are the cylinders, D the connecting-rods from the piston-rod, and E the main shaft; the exhaust steam to escape into the chimney through a blast-pipe, with adjustable orifice.

Also, with a rotary pump of Cary's patent, of the kind used in the present engine of Messrs. Lee & Larned, and shown in detail in figures 13, 14, 15, and 16, of the accompanying drawings; to be provided with six supply-plugs for hydrant attachments, with suitable gates and a separate suction, with at least twenty feet six inches of suction hose, with a sufficient air-chamber, and three discharge-plugs, with suitable gates.

The boiler, engines, and pumps to be made fast to a substantial and sufficient wrought-iron frame, suspended on strong platform springs, the whole to rest on four substantial wheels, with iron hubs and axles, the larger wheels not

to be less than five feet in diameter, and the smaller not less than three feet eight inches, with at least three inches face.

The apparatus to be self-propelling ; the power of the engines to be transmitted for the purpose through the main shaft to the hinder or driving-wheels, by the arrangement known as Fisher's radius rod and parallel motion for steam carriages, invented by J. R. Fisher, and represented by F and G, figures 17 and 18 ; the coupling to the main shaft to be such as to admit of disconnection at pleasure ; the forward axle to be provided with a tongue, or pole, and drag-ropes, as in the ordinary fire-engines, and also with screw steering apparatus, shown at figures 17 and 18, so that the carriage may be steered either from without or within board.

The general arrangements of the carriages to be substantially as shown in said figures 17 and 18, the former being a side-view and the latter a plan.

The engine to be supplied with two four-feet discharge-pipes, and six assorted nozzles, and with all needful wrenches and other tools for working, with room and arrangements for carrying one thousand feet of Grenoble hose, and a supply of fuel sufficient for two hours' consumption.

Adopted by the Board of Councilmen, Dec. 10, 1856.

Adopted by the Board of Aldermen, Dec. 29, 1856.

Approved by the Mayor, Dec. 31, 1856.

Resolved, That the Commissioner of Repairs and Supplies be, and he is hereby directed to advertise for proposals for

Proposals
for alarm
telegraph to

be advertised
for. fire-alarm telegraphs, to connect all fire-houses in the seventh and eighth fire districts.

Adopted by the Board of Councilmen, Dec. 12, 1856.

Adopted by the Board of Aldermen, Dec. 30, 1856.

Approved by the Mayor, Dec. 31, 1856.

All Hook
and Ladder
Companies
allowed ten
additional
men.

Resolved, That all hook and ladder companies be, and they are hereby allowed ten additional men.

Adopted by the Board of Councilmen, October 20, 1856.

Adopted by the Board of Aldermen, December 31, 1856.

Received from his Honor the Mayor, January 7, 1857, without his approval or objections thereto ; therefore, under the provisions of the amended charter, the same became adopted.

All Hose
companies be
allowed thirty
men.

First class
engines al-
lowed seven-
ty men.

Second class
engines sixty
men.

Third class
engines fifty
men.

Resolved, That all the hose companies be allowed thirty men, and all first-class engines seventy men ; second-class engines, sixty men ; third-class, fifty men.

Adopted by the Board of Councilmen, October 20, 1856.

Adopted by the Board of Aldermen, December 31, 1856.

Received from his Honor the Mayor, January 5, 1857, without his approval or objections thereto ; therefore, under the provisions of the amended charter, the same become adopted.

Resolved, That the Clerk of the Common Council be, and he is hereby directed to advertise for proposals for making a

die (as per annexed diagram) and furnishing one badge, of solid gold, and thirteen of solid silver, the same to be used by the Chief Engineer and Assistant Engineers of the Fire Department; said die to belong to the city, and to be delivered to the Clerk of the Common Council, provided the expense of said medals and die does not exceed five hundred dollars.

Proposals for dies for badges, the Chief and Assistant Engineers.

Adopted by the Board of Councilmen, March 10, 1857.

Adopted by the Board of Aldermen, May 14, 1857.

Approved by the Mayor, May 15, 1857.

AN ORDINANCE to re-organize the Street Department of the City of New York.

Be it ordained by the Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened :

CHAPTER I.

OF THE STREET DEPARTMENT.

ARTICLE I. OF THE STREET DEPARTMENT AND ITS BUREAUX GENERALLY.

SEC. 1. The Street Department shall have cognizance of

* * * * *

making, repairing, and lighting the public roads and avenues; constructing, repairing, and lighting the public buildings; repairing wells and pumps; supplying the public rooms and offices of the Corporation, the court-rooms, the police station-houses, the engine, hose, and hook and ladder houses, and the public markets, with fuel, stationery,

Street Commissioner to supply fuel, stationery, &c., and construct and repair houses for fire companies.

printing, and all other things necessary therefor, constructing and repairing fire-engines, hose-carts, hooks and ladders, hose, and other machines and apparatus for the use of the Fire Department.

§ 2. There shall be ten bureaux in the Street Department, viz. :

I. A bureau for the building and repairing of wharves and piers, to be called the "Bureau of Wharves."

Construct-
ing and re-
pairing en-
gine, hook
and ladder,
and hose
company
houses, sup-
plying sta-
tionery, &c.

II. A bureau for constructing and repairing the public buildings, and repairing of wells and pumps; for the supplying of the public rooms and offices of the Corporation, the court-rooms, the police station-houses, the engine, hose, and hook and ladder houses, and public markets, with fuel, stationery, printing, and all other things necessary therefor, to be called the "Bureau of Repairs and Supplies."

* * * * *

Repairs to
fire appara-
tus.

IV. A bureau for repairing fire-engines and fire apparatus, under the direction of the "Chief Engineer of the Fire Department."

* * * * *

CHAPTER II.

OF THE STREET COMMISSIONER, HIS DEPUTY, AND CLERKS.

* * * * *

Contracts
for all work
over twohun-
dred and fifty
dollars to be
done under

§ 5. All contracts for work of any kind relating to opening, altering, regulating, grading, flagging, curbing, guttering, and lighting streets and avenues; building, repairing, and

lighting wharves and piers ; constructing the public roads and avenues ; constructing, repairing, and lighting the public buildings ; repairing wells and pumps ; supplying the public rooms and offices of the Corporation ; the courtroom, the police station-houses, the engine, hose, and hook and ladder houses, and the public markets, with fuel, stationery, and all other necessary fixtures and things therefor ; constructing fire-engines, hose-carts, hooks and ladders, hose, and other machines and apparatus for the use of the Fire Department, and for improving the public lands and places, and filling up sunken lots, under ordinances of the Common Council, from the City Inspector's Department ; and for all other works and supplies which may be directed by the Common Council, to be done or furnished under the supervision of the Street Commissioner, except where slight repairs are necessary, the same not exceeding two hundred and fifty dollars, in any one case, may be made by the chief officer of the appropriate bureau, with the consent of the Commissioner.

the supervision of the Street Commissioner.

Repairs under two hundred and fifty dollars to be done under the direction of the Chief Engineer.

* * * * *

§ 9. He shall advertise for estimates for opening, altering, grading, regulating, flagging, curbing, guttering, and lighting of streets, avenues, and places ; building, repairing, and lighting wharves and piers ; constructing the public roads and avenues ; constructing, repairing, and lighting the public buildings ; supplying the public rooms and offices of the Corporation, the court-rooms, the police station-houses, and the public markets, with fuel and stationery ; constructing fire-engines, hose-carts, hooks and ladders, hose, and other machines and apparatus for the use of the Fire Department ; and filling up sunken lots, under ordinances of the Common Council ; and for improving public

All work relating to the Fire Department to be advertised for.

lands and places, and in all other cases where expenditures connected with the Street Department are authorized by the Common Council.

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CHAPTER VII.

THE DEPUTY SUPERINTENDENT OF REPAIRS AND SUPPLIES.

Deputy Superintendent of Repairs and Supplies to superintend the supplies to engine, hose, and hook and ladder houses.

§ 46. There shall be, in the bureau of Repairs and Supplies, an officer who shall be called the Deputy Superintendent of Repairs and Supplies, who is charged with the duty of superintending the supplying the public rooms and offices of the Corporation, the court-rooms, police station-houses, the engine, hose, hook and ladder houses, and the public markets, with fuel, stationery, printing, and all other things necessary therefor, and shall receive annually for his services the sum of two thousand dollars.

§ 47. The Deputy Superintendent of Repairs and Supplies shall, before entering upon the duties of his office, execute a bond to the Corporation, with one or more sureties, to be approved by the Comptroller, in the penal sum of two thousand dollars, conditioned for the faithful performance of the duties of his office.

Deputy Superintendent to take charge of supplies to engine, hose, and hook and ladder companies.

§ 48. He shall take charge of and superintend the delivery and preservation of all supplies of fuel, stationery, printing, and other necessary things for public rooms and offices of the Corporation, the court-rooms, the police station-house, the engine, hose, hook and ladder houses, and the public markets.

§ 49. He shall make all estimates necessary or connected with the furnishing the supplies mentioned in the last section, when required by the Street Commissioner.

* * * * * * *

CHAPTER IX.

THE BUREAU OF THE CHIEF ENGINEER OF THE FIRE DEPARTMENT.

§ 66. This bureau, of which the Chief Engineer of the Fire Department shall be the chief officer, is charged with the duty of repairing fire-engines, hose-carts, hooks and ladders, hose, and other machines and apparatus for the use of the Fire Department.

The Chief Engineer to have charge of repairs to apparatus.

§ 67. The Chief Engineer of the Fire Department shall oversee and superintend the repairing of fire-engines, hose-carts, hooks and ladders, hose, and other machines and apparatus for the use of the Fire Department.

Chief Engineer to superintend repairs to apparatus.

§ 68. He shall make all estimates necessary to or connected with the performance of the duties of his bureau, when required by the Street Commissioner.

Chief Engineer to make all necessary estimates.

§ 69. He shall continually inspect the fire-engines, hose-carts, hooks and ladders, hose, and other machines and apparatus for the use of the Fire Department, and, with the consent of the Street Commissioner, shall repair the same forthwith, when any repairs shall be necessary, except that when the expense of such repairs shall not in any one case exceed fifteen dollars, he may cause them to be made without the consent of that officer; but no repairs, without

Chief Engineer to inspect all apparatus, hose, &c., and repair the same forthwith, with the consent of the Street Commissioner.

contract, shall be made to a fire-engine or other machine, for the use of the Fire Department, the expense of which shall exceed seventy-five dollars.

Correct accounts of time shall be kept of men employed in the bureau, &c.

§ 70. He shall keep correct accounts of the time of the men employed in his bureau, and of the work upon which they are engaged, and the expenses attending the same, when it is not done by contract, and shall report the same, under oath, once in each week to the Street Commissioner.

Chief Engineer shall examine, audit, and certify all accounts.

§ 71. He shall examine, audit, and certify to the Street Commissioner, all accounts for work done under his supervision, and as to the fulfillment or breach of any contract for work required to be done under his direction; and no requisition shall be drawn by the Street Commissioner for any bills, accounts, or contracts for repairing fire-engines, hose-carts, hooks and ladders, hose, or other machines or apparatus, for the use of the Fire Department, unless certified by the Chief Engineer of the Fire Department.

All accounts to be approved or disapproved and certified by the Street Commissioner.

§ 72. He shall, in all matters connected with his bureau, be under the control, direction, and supervision of the Street Commissioner, who may approve or disapprove all accounts certified by him, and by whom alone all requisitions upon the Comptroller for the payment thereof shall be drawn.

* * * * *

Adopted by the Board of Councilmen, April 24, 1857.

Adopted by the Board of Aldermen, June 25, 1857.

Approved by the Mayor, June 26th, 1857.

New banner to be presented by the

Resolved, That a new banner be presented to the Fire Department of this city, on behalf of the Mayor and Com-

mon Council; the design, construction, and contract for the same to be under the direction and control of the President, Vice President, and Secretary of the Board of Representatives of the Fire Department, the cost thereof not to exceed one thousand five hundred dollars; and said banner, when completed, to be presented by the Mayor of the city, with appropriate ceremonies.

Corporation
of the City
of New
York.

Resolved, That the Comptroller be, and he is hereby directed to draw his warrant in favor of the New York Fire Department, for the sum of one thousand five hundred dollars, to pay for said banner, when completed, and said sum is hereby appropriated therefor.

Adopted by the Board of Councilmen, Dec. 16, 1857.

Adopted by the Board of Aldermen, Dec. 22, 1857.

Approved by the Mayor, Dec. 26, 1857.

Resolved, That the salary of the messenger to the Board of Fire Commissioners be, and is hereby increased to six hundred dollars per annum, to take effect from the date of the passage of this resolution.

Salary of
the messenger
to the
Fire Com-
missioners
increased to
six hundred
dollars.

Adopted by the Board of Councilmen, Dec. 16, 1857.

Adopted by the Board of Aldermen, Dec. 29, 1857.

Received January 2, 1858, from his Honor the Mayor, without his approval or objections thereto; therefore, under the provisions of the Charter of 1857, the same became adopted.

Whereas, It appears that there are two persons employed to operate the fire telegraph, which requires the constant

attention of one through the day and the other through the night, thereby leaving but one at a time to take charge of said office ; and

Whereas, They are obliged to leave the office in charge of a stranger when compelled to meet the requirements of nature ; therefore, be it

An additional operator on the fire telegraph to be appointed by the Mayor.

Resolved, That his Honor the Mayor be and he is hereby authorized to appoint one additional attendant on the fire-alarm telegraph, now located in the basement of the City Hall, if, in his judgment, he should deem it necessary.

Adopted by the Board of Aldermen, January 18, 1858.

Adopted by the Board of Councilmen, January 22, 1858.

Approved by the Mayor, February 3, 1858.

Whereas, a telegraphic apparatus is in operation in the City Hall, under and by virtue of a resolution of the Common Council, and the operators thereof have not had their salaries fixed ; therefore,

Salaries of operators of fire telegraph not to exceed eight hundred dollars per annum.

Resolved, That the persons appointed by the Mayor to perform the duty of operating the fire telegraph, in the City Hall, be and they are hereby allowed each the sum of (not to exceed) eight hundred dollars per annum, the same to take effect from the date of their appointment.

Adopted by the Board of Aldermen, March 4, 1858.

Adopted by the Board of Councilmen, February 12, 1858.

Approved by the Mayor, March 6, 1858.

AN ORDINANCE *for the better regulation of the New York Fire Department.*

SEC. 1. It shall be the duty of each and every fireman, to prevent boys or disorderly characters from congregating in or about the place of deposit of their various apparatus, and not to allow the said place of deposit to be used for any other purposes than those directly connected with the performance of their duty as firemen. No persons other than members and exempt members of the company, or of the Fire Department, in good standing, shall be allowed to sleep in any engine, hose, or hook and ladder house; neither shall the street-doors of the said houses be kept open, except while persons are passing in and out, or while any necessary repairs or cleaning are being performed. It shall also be the duty of the said firemen to see that good order is preserved in and about the houses occupied by their respective companies, and to prevent any persons from habitually congregating on the walks in front of the houses of their said apparatus.

Boys or disorderly characters not to be allowed in or about the houses of the various apparatus.

§ 2. In going to, or returning from a fire, the drag-rope shall be the proper place for the firemen, except the officers in command, and it shall be their duty to prevent all boys, and noisy and improper persons, from taking hold of the rope. On no account shall a person, other than a member of the company, or a member or exempt member of the Fire Department, known to at least two of the members of the company present, be allowed to manage, or have any control of the tongue or tiller of any apparatus, in going to or returning from a fire. It shall also be the duty of the officers and members of each and every company when returning with their apparatus, from a fire,

Duty of members in going to or returning from a fire.

or alarm of fire, to prevent any racing of their company with any other company, and to abstain from any conduct that would be likely to cause a breach of the peace, or reflect discredit on the Fire Department. It shall further be their duty to use all endeavors to cultivate good feeling among the members of the Fire Department.

Responsibility of officers and members.

§ 3. Each and every officer or member in command of a company shall be held responsible for his actions, while exercising command over any fire apparatus, or for any willful neglect or violation of any of the duties incumbent upon him.

No fireman under suspension to wear a frontispiece, nor be allowed to vote at any election, &c.

§ 4. No fireman, while under suspension for any violation of the ordinances relative to the Fire Department, shall be permitted to wear a fire-cap bearing the frontispiece of the company to which he is attached, nor be allowed to vote at any election held by the company; neither shall he be permitted to take part in any of the meetings, or to frequent the house occupied by his company. And no person suspended or expelled from the Fire Department shall be allowed to take command or exercise control over any fire apparatus while he remains under such sentence of suspension or expulsion.

Companies to proceed to fire with all due diligence.

§ 5. It shall be the duty of each and every company, on an alarm of fire being given for the district or districts in which the said company does duty, to proceed with all due diligence and by the most convenient route to the fire, or to the place from whence the said alarm originated, unless otherwise directed by an Engineer; avoiding all lying in wait, or any departure from their usual route, for the purpose of racing with any other company.

Penalties for violation of any of the

§ 6. Any engineer, officer of a company, or member of the Fire Department, who shall violate any of the or-

ordinances relative to the Fire Department, or who shall knowingly or willfully consent to or assist in any violation of the same, shall be liable to suspension or expulsion from the Fire Department. And any company, so found guilty of a violation of any of the ordinances of the Fire Department, shall be liable to be disbanded.

ordinances of
the Fire De-
partment.

§ 7. All ordinances, or parts of ordinances, inconsistent with the provisions of this ordinance, are hereby repealed.

Adopted by the Board of Councilmen, February 26, 1858.

Adopted by the Board of Aldermen, March 26, 1858.

Approved by the Mayor, March 29, 1858.

Resolved, That the Chief Engineer of the Fire Department be, and he is hereby directed to cause to be printed in a durable manner a list of all buildings which have been examined and pronounced unsafe by the Board of Fire Wardens, and have one or more copies thereof, printed, in each of the engine, hose, and hook and ladder houses in the city, and that the same be done annually, in lieu of advertising.

Lists of all
unsafe build-
ings to be
printed and
hung up in
the houses
of each ap-
paratus.

Adopted by the Board of Aldermen, April 12, 1858.

Adopted by the Board of Councilmen, May 6, 1858.

Approved by the Mayor, May 7, 1858.

Resolved, That the Street Commissioner be empowered to appoint a practical machinist and fire-engine builder,

Appoint-
ment of a
Superintend-

**ent of fire
apparatus.** who shall be an exempt fireman, to superintend the construction and proper working and keeping of fire apparatus, and such other duties as may be required in the direction of the Fire Department, which shall not interfere with any existing ordinance, or conflict with the firemen in the discharge of their duty. The salary of the Superintendent to be one thousand dollars per annum.

Adopted by the Board of Aldermen, Oct. 21, 1858.

Adopted by the Board of Councilmen, Nov. 11, 1858.

Approved by the Mayor, Nov. 12, 1858.

AN ORDINANCE

For the better Regulation of the Firemen of the city of New York.

The Mayor, Aldermen and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

It shall be the duty of the Foreman and Secretary of each and every engine, hose, and hook and ladder company, to report to the Board of Fire Commissioners, on the second Tuesday in April and October in each year, a list of members, with the number of fires or alarms of fire which have occurred during the preceding six months, in the districts in which they perform duty, and the amount of duty performed by each member, which report must be sworn to before the Board of Fire Commissioners ; and the Foreman and Secretary of each and every company neglecting to comply with this ordinance shall be expelled.

Foreman and Secretary to report to Fire Commissioners, twice in each year, the number of fires, list of members, &c., also duty performed by each member.

Adopted by the Board of Aldermen, October 25, 1858.

Adopted by the Board of Councilmen, Dec. 13, 1858.

Approved by the Mayor, Dec. 23, 1858.

AN ORDINANCE.

Be it ordained by the Mayor, Aldermen and Commonalty of the City of New York, in Common Council convened, that the ordinance to re-organize the Street Department, passed June 26, 1857, be amended to read as follows :

CHAPTER I.

OF THE STREET DEPARTMENT AND ITS BUREAUX GENERALLY.

Construction,
repairing,
lighting,
&c., of Hose,
Engine, and
Hook and
Ladder
Houses.

SEC. 1. The Street Department shall have cognizance of
 * * * * *
 * * * the construction, repairing, lighting, and
 care of the buildings, offices, rooms, and public yards of
 the Corporation; the supplying the public buildings and
 offices and rooms of the Corporation, the court-rooms for
 which supplies are furnished by the Corporation, the po-
 lice station-houses, the engine and other houses of the Fire
 Department, and the public markets, with fuel, stationery,
 printing, and all other things necessary therefor; the con-
 struction, altering, and repairing of fire-engines, hose, and
 all other machines and apparatus for the use of the Fire
 Department; the removing incumbrances from streets,
 roads, places, wharves, piers, and slips; the doing and fur-
 nishing of all other necessary work, repairs, and supplies
 not provided for in other departments; and the collecting
 of all assessments.

§ 2. There shall be eight bureaux in the Street Department, viz : Number of
Bureaux.

* * * * *

6. A bureau for constructing and repairing public buildings, and for procuring all necessary supplies for the Corporation, to be called the "Bureau of Repairs and Supplies."

7. A bureau for repairing fire-engines and fire apparatus, under the charge of the Chief Engineer of the Fire Department, and for the construction of all new fire-engines and fire apparatus, to be called the "Bureau of the Chief Engineer of the Fire Department."

* * * * *

CHAPTER III.

OF THE BUREAU OF THE STREET DEPARTMENT.

* * * * *

ARTICLE VII.

The Deputy Superintendent of Repairs and Supplies.

§ 1. There shall be, in the Bureau of Repairs and Supplies, an officer who shall be called the Deputy Superintendent of Repairs and Supplies, who is charged with the duty of superintending the supplying the public rooms and offices and court-rooms of the Corporation, the police station-houses, the engine and other houses of the Fire Department, and the public markets, with fuel, stationery,

Deputy Superintendent to have charge of supplies, stationery, printing, and all other things necessary for the use of howe and other houses of the Fire Department.

printing, and all other things necessary therefor, and of superintending the furnishing of all other necessary supplies for the Corporation, except in cases where other provision is made therefor. He shall receive payment monthly for his services, at the rate of two thousand dollars per annum.

* * * * *

ARTICLE VIII.

The Bureau of the Chief Engineer of the Fire Department.

The Bureau of the Chief Engineer to have charge of all repairs to apparatus.

§ 1. This bureau, of which the Chief Engineer of the Fire Department shall be the chief officer, is charged with the duty of repairing fire-engines, hose-carts, hooks and ladders, hose, and other machines and apparatus, for the use of the Fire Department.

The Chief Engineer to superintend all repairs to apparatus.

§ 2. The Chief Engineer of the Fire Department shall oversee and superintend the repairing of fire-engines, hose-carts, hooks and ladders, hose, and other machines and apparatus, for the use of the Fire Department.

The Chief Engineer shall make all estimates connected with his Bureau.

§ 3. He shall make all estimates necessary to, or connected with, the performance of the duties of his bureau, when required by the Street Commissioner.

Chief Engineer shall inspect all apparatus, and make such repairs as shall not exceed seventy-five dollars.

§ 4. He shall, from time to time, inspect the fire-engines, hose-carts, hooks and ladders, hose, and other machines and apparatus, for the use of the Fire Department; and shall report to the Street Commissioner any repairs which may be required thereon. If the Street Commissioner approve thereof, he shall report the same to the Common Council, except that, when the expenditure shall not exceed seventy-five dollars in any one case, he may direct the same to be done.

§ 5. The Chief Engineer may, with the consent of the Street Commissioner, make small repairs in the Corporation yard, to the hose and hooks and ladders of the Fire Department.

§ 6. He shall cause to be kept in his bureau accounts of the time of all persons to be paid by wages for work, under the supervision of his bureau, and of the work upon which they are engaged, and of all the other expenditures of his bureau, and of the expense of each particular work or job, with the items thereof.

Chief Engineer to cause to be kept in his bureau time of all persons paid wages, &c.

§ 7. He shall examine and audit all pay-rolls and all accounts for work done, or materials furnished, under the supervision of his bureau, and, if found correct, shall certify them in writing, and shall deliver them, with proper vouchers, to the Street Commissioner; and in all cases of contract work under his supervision, he shall examine and report to the Street Commissioner as to the fulfillment or breach of the contract therefor; and he shall certify, on every voucher for payment thereon, that such payment is due, in accordance with the terms of the contract.

Chief Engineer shall examine and audit all accounts, pay rolls, &c.

§ 8. He shall, in all matters connected with his bureau, be under the control, direction, and supervision of the Street Commissioner, who may approve or disapprove all accounts certified by him, and by whom alone all requisitions upon the Comptroller for the payment thereof shall be made.

The Chief Engineer to be under the control and direction of the Street Commissioner.

§ 9. No new fire-engine, hose, or hook and ladder carriage, shall be constructed for the Fire Department, unless the same shall be authorized by the Common Council.

No new apparatus to be constructed, except authorized by the Common Council.

§ 10. There shall be in this bureau a Superintendent of Fire Apparatus, to be appointed by the Street Commissioner, who shall be a practical machinist and fire-engine builder, and who shall be an exempt fireman, whose duty

A Superintendent of Fire Apparatus to be appointed.

it shall be to superintend the construction and proper working and keeping of fire apparatus, and such other duties as may be required in the direction of the Fire Department, which shall not interfere with any existing ordinance, or conflict with the firemen in the discharge of their duties. The Superintendent of Fire Apparatus shall receive payment for his services monthly, at the rate of one thousand dollars per annum.

Foreman
in the Cor-
poration yard;
also, two
Clerks.

§ 11. There shall be a Foreman of the Corporation Yard in this bureau, to be appointed by the Chief Engineer, whose duty it shall be to superintend the repairing and cleaning of hose, and take charge of the same, and to perform all such other duties as may be assigned to him by the Chief Engineer, and shall receive a salary of one thousand dollars per annum, payable monthly. There shall also be two clerks in this bureau, to be appointed by the Chief Engineer, who shall keep the accounts of this bureau, and perform such other duties as shall be directed by the Chief Engineer, at a salary of one thousand dollars each per annum, payable monthly. The Chief Engineer shall also have authority to employ laborers in the Corporation Yard, not to exceed eight in number, at a compensation of two dollars per day.

* * * * *

Adopted by the Board of Councilmen, Dec. 22, 1858.

Adopted by the Board of Aldermen, Dec. 29, 1858.

Approved by the Mayor, Jan. 4, 1859.

Steam fire
engine pre-
sented to the
Corporation
by the Fire

Resolved, That the proposition of several of the fire insurance companies doing business in this city, to furnish and present a steam fire-engine to the corporation, be

accepted, and that the Superintendent of Fire Apparatus of the Fire Department be, and he is hereby authorized and directed to take possession of and safely keep, on behalf of the corporate authorities of the city, the said steam fire-engine, when so presented by said fire insurance companies.

Insurance
Companies.

Adopted by the Board of Aldermen, January 20, 1859.

Adopted by the Board of Councilmen, February 7, 1859.

Approved by the Mayor, February 8, 1859.

Resolved, That the annual amount allowed to each fire company for gas be increased to the sum of seventy-five dollars (\$75), the same to take effect from the passage of this resolution.

Amount of
gas allowed
fire compa-
nies in-
creased.

Adopted by the Board of Aldermen, January 24, 1859.

Adopted by the Board of Councilmen, February 7, 1859.

Approved by the Mayor, February 19, 1859.

On the 14th April, 1859, the President of the Representatives of the Fire Department communicated to the Common Council that the following nominations, for Fire Wardens, had been made on the 13th April, viz.: Stephen Hallick, George C. Brown, William H. McDonough, and Samuel Cheshire, to serve three years, to fill vacancies occasioned by the expiration of the term of George C. Brown, John T. Harding, William H. McDonough, and Theodore Keeler.

Fire ward-
ens elected.

Confirmed by the Board of Councilmen, April 18, 1859.

Confirmed by the Board of Aldermen, April 25, 1859.

Approved by the Mayor, April 26, 1859.

AN ORDINANCE

To amend an Ordinance for the better Regulation of the Firemen of the city of New York, passed June 15th, 1855.

Fire caps
and badges
to be worn;
penalty for
refusing or
neglecting
the same.

SEC. 1. All members of the New York Fire Department, and such exempt members as are authorized by the Commissioners of the Fire Department, shall hereafter, when on duty as firemen, or at fires, wear the leathern cap, as heretofore used, or a badge, as hereinafter provided, which said badge shall be worn in a plain, conspicuous manner, on the breast, and shall be worn and visible during the whole time that such member, or exempt member, shall remain at the fire; and any fireman neglecting or refusing to wear his badge, as above specified, shall be subject to suspension or expulsion from the Department; and any exempt fireman so refusing or neglecting shall be subject to a fine of not less than twenty-five, nor over two hundred and fifty dollars, and imprisonment not less than ten days; and all fines so collected shall be paid over to the Treasurer of the Fire Department Fund.

Inscription
and composition
of badges.

§ 2. The badge mentioned in the preceding section shall be made of Prince's metal, bearing the letters "N. Y. F. D." and each badge shall bear a distinct number, in raised figures thereon, of white metal, the same to represent the number of each company, and also a register number, in small figures, stamped thereon; and the

badge to be worn by exempt firemen, as provided for in section 3d, of this ordinance, shall be composed of white metal, with the figures thereon of Prince's metal; but in all other respects to conform to the badge herein described for the use of the active members of the Department; said badges shall be struck from dies, which shall be exclusively the property of the Corporation of the City of New York, and shall be placed in the custody of the Clerk of the Common Council; and all of such badges shall be numbered, as the Commissioners of the New York Fire Department may direct.

§ 3. The said badges shall be deposited with the Commissioners of the New York Fire Department, who shall have sole charge of the distribution of the same; and it shall be the duty of the said Commissioners to keep a register of the names of all persons who now are, or who may hereafter become members of the New York Fire Department, and of the number of the company to which said persons are attached; and also of the names of such exempt firemen as may, in writing, be permitted by the said Commissioners to wear the badges aforesaid, and of the number of the badge delivered to each of said firemen or exempt firemen.

Badges to be in charge of the Commissioners of the New York Fire Department.

§ 4. It shall be the duty of the Commissioners of the New York Fire Department to deliver to each fireman one of the badges aforesaid; and the said Commissioners shall also deliver one of the aforesaid badges to each of such exempt firemen as may, by virtue of section 16, of an act of the Legislature of the State of New York, entitled, "An act for the better regulation of the firemen in the city of New York," passed March 29th, 1855, be permitted by said Commissioners to wear the same.

Badges to be delivered to active and exempt firemen.

The badges
to be the
property of
the city of
New York.

§ 5. The badges herein named shall be the exclusive property of the city of New York, and when any member of the Fire Department shall resign, or be suspended, or expelled therefrom, it shall be the duty of the foreman and secretary of the company to which such member was attached to make a return of such suspension, expulsion, or resignation, forthwith, to the Chief Engineer, together with the badge formerly worn by such member, and the Chief Engineer shall report weekly, to the Commissioners aforesaid, the names of such members of the Fire Department as shall have resigned, or been suspended or expelled therefrom, since his last report, and shall, with said report, return to the said Commissioners the badges worn by such members.

Loss of
badges to be
reported to
the Commis-
sioners with-
in two
weeks.

§ 6. If the foreman and secretary of any company, or either of them, shall fail to comply with the provisions of the preceding section in relation to the return of badges, no return of members elected by such company shall be received therefrom, unless good and satisfactory cause shall be shown to the Commissioners why said badges are not returned; and should any member of the Fire Department lose his badge, it shall be his duty to report said loss within two weeks to the said Commissioners, and it shall be their duty to inquire into the circumstances of the case, and unless they are satisfied that such loss was without fault on the part of said member, they shall have power to suspend or expel said member from the Department, in their discretion; but should the loss be satisfactorily accounted for to the said Commissioners, then they shall grant a new badge to said member, who shall pay one dollar, upon receiving the same, as a penalty for said loss (which money shall be paid to the Treasurer of the Fire Department Fund by said

Commissioners, they taking his receipt for the same), and any member of the Department not complying with the above provision shall be expelled.

§ 7. Every exempt fireman receiving a badge shall have the permission to wear the same renewed some time during the month of May in each year, otherwise such permission shall be deemed revoked, and the said Commissioners may, at any time, revoke any permission so granted by them; but in case such permission is not renewed, or is revoked, it shall be the duty of such exempt fireman to restore the badge previously worn by him, to the said Commissioners.

Exempt firemen to have their badges renewed annually in the month of May.

§ 8. Any member of the New York Fire Department, or exempt fireman, who shall loan his badge to any person, shall be liable to the penalties as set forth in section 1st of this ordinance; and if any badge shall become broken or the figures be displaced while in the possession of such member or exempt fireman, he shall return the same forthwith to the said Commissioners, and in default of the same, said member may be expelled or suspended, and such exempt fireman shall have the permission to wear the same revoked.

Penalty for loaning badges, and broken badges to be returned.

§ 9. Any member of the New York Fire Department, or exempt fireman, who shall violate any of the foregoing sections of this ordinance, shall be subject to a fine of not less than twenty-five, nor over two hundred and fifty dollars, and to imprisonment for the term of ten days; and all fines so collected shall be paid over to the Treasurer of the New York Fire Department Fund.

Penalties for violating any of the foregoing sections.

§ 10. It shall be the duty of the police, when a fire occurs, to form a line, at least two hundred feet distant from the said fire, on each side thereof; and they shall not,

Line to be formed at a fire two hundred feet distant; persons to be ad-

mitted with-
n. under any circumstances, permit any person to pass said line, unless said person shall wear the uniform or badge of the Fire Department, the uniform of the Insurance Patrol, or be a member of the Common Council, a member of the Police Department, an owner of property within, or resident in the prescribed lines.

Duty of the
Police to re-
move from
within lines
persons not
entitled by
preceding
section. § 11. It shall be the duty of the police to promptly remove from within the said lines, all persons not designated in the last preceding section, and all persons refusing to retire at the request of a policeman, from within the said lines, shall be deemed guilty of a misdemeanor, and forthwith arrested.

§ 12. All ordinances, and parts of ordinances, now existing, so far as the same are inconsistent with any or all of the provisions of this ordinance, are hereby repealed.

§ 13. This ordinance shall take effect immediately.

Adopted by the Board of Councilmen, May 30, 1859.

Adopted by the Board of Aldermen, June 13, 1859.

Approved by the Mayor. June 27, 1859.

D. T. VALENTINE, *Clerk C. C.*

At an election, held by the members of the Fire Department, on the 3d March, 1859, the following nominations, for assistant engineers, were made, viz. :

For the First District—G. Joseph Ruch.

Assistant
Engineers
elected.

For the Second District—John Brice.

At large—Daniel Donovan, John Decker, William Hackett, Peter N. Cornwell, Edward W. Jacobs, Elisha Kingsland, John A. Cregier, Stephen Mitchell, Timothy L. West, John Baulch.

Confirmed by the Board of Aldermen, July 7, 1859.

Confirmed by the Board of Councilmen, July 11, 1859.

Approved by the Mayor, July 12, 1859.

At an election held by the members of the New York Fire Department, on 22d December, 1859, John A. McCosker was duly elected as assistant engineer, to fill a vacancy in the Harlem district.

Election of
Assistant
Engineer to
fill a vacancy
in Harlem
District.

Confirmed by the Board of Aldermen, Dec. 30, 1859.

Confirmed by the Board of Councilmen, Dec. 30, 1859.

Approved by the Mayor, Dec. 31, 1859.

REVISION OF THE ORDINANCES
APPERTAINING TO THE
FIRE DEPARTMENT
OF THE
CITY OF NEW YORK,
TO THE
YEAR 1860.

THE FOLLOWING IS A CONTINUATION OF THE REVISION OF
THE ORDINANCES AS TO FIRES AND THE FIRE DEPART-
MENT, TO BE FOUND IN CHAPTER XV. OF THE

REVISED ORDINANCES

OF 1845.

CONTINUED TO JANUARY 1, 1860.

AN ORDINANCE *of Fires and the Fire Department.*

PASSED April 23, 1839.

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows:

§ 1. Abrogated by section first of the ordinance of June 22, 1842 (9 Pro. C. C., p. 189), which has since been amended by the ordinances passed January 5th, 1850, June 18th, 1850, and May 6th, 1856, and also by the act of the legislature passed March 29, 1850, section 1. The section, as it now stands, reads thus:

Fire Department, of whom to consist.

The Fire Department of the said city shall consist of a Chief Engineer, thirteen* Assistant Engineers, twelve Fire Wardens, and as many fire-engine men, hose men, hook and ladder men, and hydrant men, who shall be citizens of the United States, of the age of twenty-one years or upward, as are, or may, from time to time, be appointed by

Election of Chief and Assistant Engineers.

* Increased to thirteen by ordinance of May 6, 1856, vide p. 384.

the Common Council, and who shall respectively be distinguished by the several appellations aforesaid.*

§ 2. Abrogated by second section of ordinance of June 22d, 1842 (9 Pro. C. C., p. 189), a portion of which was repealed by ordinances subsequently approved, viz.: those of March 22d, 1850, and December 9th, 1853.†

The following is the form in which the ordinances relative to the Chief and Assistant Engineers remain at present:

Ibid.

The nomination of the Chief Engineer and Assistant Engineer shall be made by the firemen, by ballot, at such time as the Common Council may hereafter appoint, and the persons receiving the greatest number of votes for the respective offices shall be thereupon entitled to a nomination to the Common Council, for appointment to such offices. (Ordinance of June 22, 1842.)

Election of
Assistant En-
gineers.

The nomination of the Assistant Engineers of the Fire Department shall be made by the firemen, by ballot, every three years, and the persons receiving the greatest number of votes shall be respectively, thereupon, entitled to a nomination to the Common Council, for appointment to such office.

New elec-
tion, how or-
dered.

The Common Council may, at their pleasure, or when a new election shall be asked for by a majority of the firemen, order a new election for one or more of such Assistant Engineers, and the person or persons nominated at such

* For the section of ordinance of April 23, 1839, thus abrogated, vide p. 296.

† For the original section second of ordinance of April 23, 1839, vide page 297.

new election shall, when duly confirmed, serve only for and during the remainder of the term or terms of the person or persons in whose place or places he or they may respectively be elected. (Ordinance of March 22, 1850.)

The Chief Engineer of the Fire Department shall be elected every three years by the members of the Fire Department, by ballot, and the person receiving the greatest number of votes for the office shall thereupon be entitled to a nomination to the Common Council for appointment.

Election of
Chief Engi-
neer.

The election for the selection of Chief Engineer of the Fire Department, under this ordinance, shall take place on the first Tuesday after the first Monday in February, 1854, and thereafter every succeeding three years. (Ord. Dec. 9th, 1853.)

When to
take place.

§ 3. This section* was abrogated by the seventh section of the act entitled "An Act to create the Croton Aqueduct Department in the city of New York," passed April 11th, 1849. (Chap. 383.) The section stands thus:

The Croton Aqueduct Board shall nominate, and by and with the consent of the Board of Aldermen appoint a Water Purveyor, to be charged with the superintendence of the laying and repairing of the water-pipes, and the construction, repairing, and cleansing of the sewers and underground drains. * * *

Water Pur-
veyor, ap-
pointment
of.

§ 4. Abrogated by section four of the ordinance of June 22, 1842 (9 Pro. C. C., p. 190), a portion of which has since been repealed by the ordinance of May 30, 1849, sec-

Powers and
duties of
Chief Engi-
neer.

* For the third section of the ordinance of April 23, 1849, thus abrogated, vide p. 297.

tions 279 to 285, inclusive, and amended by ordinances of April 19, 1850, and January 4th, 1859.*

The ordinances at present in force, in relation to duties and powers of Chief Engineer, are as follows :

To examine
apparatus,
and report.

The Chief Engineer shall, in all cases of fire, have the sole and absolute control and command over all the engineers and other persons connected with the Fire Department. It shall be the duty of the Chief Engineer to direct the other engineers to take proper measures to arrange the several fire-engines in the most advantageous manner, and to cause them to be duly worked for the effectual extinguishment of fires. It shall also be the duty of the said Chief Engineer to examine twice in every year into the condition and number of the fire-engines, and other fire apparatus, and fire-engine houses, and to report the same, once a year, to the Common Council, together with the names of all the members of the Fire Department, and the respective associations to which they belong.

Firemen's
Register.

(§ 4. Ordinance of June 22, 1842.) And it shall be the duty of the clerk of the Common Council, on the said returns being presented by the said Chief Engineer, to the Common Council, to correct the Register of the firemen, in his office, in accordance with said returns. (Section one, ordinance of April 19th, 1850.)†

This bureau (the bureau of the Chief Engineer of the

* For section four, as it originally stood, vide ordinance of April 23, 1839, ante, p. 297.

† In relation to investigation of causes of fires, as referred to in section four of ordinance of June 22, 1842, the Legislature, on 16th of April, 1852, passed an act for speedy investigation into the origin of fires in the City of New York, and referring the same to the Chief of Police. Vide, ante, p. 116.

Fire Department), of which the Chief Engineer of the Fire Department shall be the chief officer, is charged with the duty of repairing fire-engines, hose-carts, hooks and ladders, hose, and other machines and apparatus for the use of the Fire Department.

The Chief Engineer to have charge of repairs to apparatus.

The Chief Engineer of the Fire Department shall oversee and superintend the repairing of fire-engines, hose-carts, hooks and ladders, hose, and other machines and apparatus for the use of the Fire Department.

Chief Engineer to superintend repairs to apparatus.

He shall make all estimates necessary to, or connected with the performance of the duties of his bureau, when required by the Street Commissioner.

Chief Engineer to make all necessary estimates.

He shall, from time to time, inspect the fire-engines, hose-carts, hooks and ladders, hose, and other machines and apparatus for the use of the Fire Department, and shall report to the Street Commissioner any repairs which may be required thereon. If the Street Commissioner approve thereof, he shall report the same to the Common Council, except that, when the expenditure shall not exceed seventy-five dollars in any one case, he may direct the same to be done.

Chief Engineer shall inspect all apparatus, and make all repairs not exceeding seventy-five dollars.

The Chief Engineer may, with the consent of the Street Commissioner, make small repairs in the Corporation yard, to the hose and hooks and ladders of the Fire Department.

Ibid.

He shall cause to be kept in his bureau accounts of the time of all persons to be paid by wages for work, under the supervision of his bureau, and of the work upon which they are engaged, and all the other expenditures of his bureau, and of the expense of each particular work or job, with the items thereof.

Chief Engineer to keep an account of time of persons paid by wages.

Shall examine and audit all accounts, pay-rolls, &c.

He shall examine and audit all pay-rolls and all accounts for work done, or materials furnished, under the supervision of his bureau, and, if found correct, shall certify them in writing, and shall deliver them, with proper vouchers, to the Street Commissioner ; and, in all cases of contract work under his supervision, he shall examine and report to the Street Commissioner as to the fulfillment or breach of the contract therefor; and he shall certify, on every voucher for payment thereon, that such payment is due, in accordance with the terms of the contract.

Chief Engineer to be under the control of the Street Commissioner.

He shall, in all matters connected with his bureau, be under the control, direction and supervision of the Street Commissioner, who may approve or disapprove all accounts certified by him, and by whom alone all requisitions upon the Comptroller for the payment thereof shall be made.

(Ordinance of January 4, 1859, reorganizing the Street Department, chap. 3, art. 8, secs. 1 to 8, inclusive.)

Salary of Chief Engineer.

§ 5. This section,* in relation to the salary of the Chief Engineer, has been amended at various times, viz. : by section seventh of ordinance of June 22d, 1842 ; by resolution approved December 26th, 1844 ; by resolution approved July 8th, 1848 ; by resolution approved Nov. 10th, 1855, and by resolution approved December 9th, 1857, which last-mentioned resolution is now in force, and stands thus :

Resolved, That the salary of the Chief Engineer of the Fire Department be increased to five thousand dollars per annum, such increase to take effect from the 17th February, 1857, when the present incumbent entered upon the discharge of the duties of said office.

* For the fifth section of the ordinance of April 28, 1839, vide page 298.

§ 6. In case of any vacancy in the office of Chief Engineer, the Senior Engineer shall discharge the duties of Chief Engineer until the vacancy shall be filled.* Vacancy supplied.

§ 7. Abrogated by section third of ordinance of June 22d, 1842 (9 Pro. C. C., pp. 189-90). Which section reads thus :

Whenever a vacancy shall occur in either of the offices of Chief Engineer or Assistant Engineers, the engineers and the foremen of the fire companies, collectively, shall have power, and it shall be their duty to call a special election, and designate the time for holding the same, to the end that the nomination, pursuant to the provisions of this ordinance, may be made to the Common Council to supply such vacancy.† Ibid.

§ 8. Modified by section fourth of the ordinance of July 16th, 1839, and reads thus :

It shall be the duty of the Chief Engineer, or the Senior Engineer, to certify, under his hand, to the Common Council, the name or names of the persons who shall, from time to time, be nominated, pursuant to the provisions of this ordinance, for the respective offices for which they may be nominated, to the end that, if approved of by the Common Council, they may be appointed.‡ Chief Engineer to certify persons nominated for appointment.

§ 9. This section, which further prescribed the duties of Duties of Chief Engineer.

* Ordinance of April 23, 1839, ante, p. 298.

† The original section of the ordinance of April 23, 1839, thus abrogated, will be found, ante, p. 298.

‡ For the original text of this section, vide ordinance of April 23d, 1839, ante, p. 298.

the Chief Engineer, was virtually abrogated by section fourth of ordinances of June 22, 1842 (9 Pro. C. C. 190), a portion of which has since been repealed. Vide section fourth, ante, p. 339.*

Sale of old
engines, etc.

§ 10. Abrogated by section fifth of ordinance of June 22, 1842 (9 Pro. C. C., p. 191), which has since been amended, and at present stands thus :

The Chief Engineer,† under the direction of the Committee on the Fire Department,‡ is authorized to sell, for cash, any old and condemned fire engines and hose deposited at the public yard, and shall pay the money received for such engines or hose, when sold, to the city treasurer, and deposit the receipt for such money with the Comptroller.§

Bills ap-
proved by
Committee
on Fire De-
partment.

§ 11. This section, which directs bills for expenditures to be approved by Committee on Fire Department, was abrogated by Chap. 4, Art. 3, title 5, Part 2, of ordinance of May 30, 1849 (17 Pro. C. C., pp. 87-9), and by the ordinance reorganizing the Street Department, passed January 4, 1859, which will be found on page 404.||

Water Pur-
veyor, oath.

§ 12. The Water Purveyor shall, before entering upon

* For ninth section of the ordinance of April 23, 1839, thus abrogated, vide p. 299.

† The words "Chief Engineer" were substituted for "Superintendent of Buildings," as contained in the text originally, by resolution approved June 18, 1846 (14 P. C. C., p. 19).

‡ Name of Committee altered, February 10, 1845.

§ For the original section tenth of ordinance of April 23d, 1839, vide p. 299.

|| For the eleventh section of the ordinance of April 23, 1839, thus abrogated, vide p. 299.

the duties of his office, take and subscribe an oath or affirmation, well and faithfully to perform the said duties.*

§ 13. This section was abrogated by the 376th section of the ordinance of May 30, 1849 (17 Pro. C. C., p. 115), which stands thus:†

The Water Purveyor shall, before entering upon the duties of his office, execute a bond to the Corporation, with one or more sureties, to be approved by the Comptroller, in the penal sum of two thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 14. This section in relation to the Water Purveyor's salary was abrogated by resolution of July 21, 1849 (17 Pro. C. C., p. 251), which reads as follows:‡

Resolved, That the salary of the Water Register, in the Croton Aqueduct Department be, and the same is hereby fixed at one thousand five hundred dollars per annum; that the salary of the Deputy Water Register, in the Croton Aqueduct Department be, and the same is hereby fixed at one thousand dollars per annum; that the salary of the Water Purveyor, in the Bureau of Pipes and Sewers, be, and the same is hereby fixed at one thousand five hundred dollars per annum.

§ 15. It shall be the duty of the said Water Purveyor to take charge of the public reservoirs and establishments for

* Ordinance of April 23, 1839, page 300.

† For the 13th section of the ordinance of April 23, 1839, thus abrogated, vide page 300.

‡ For the 14th section of the ordinance of April 23, 1839, thus abrogated, vide page 300.

water for the extinguishment of fires, and to see that the same, and all the apparatus and machinery belonging thereto, and all the public hydrants, are kept in good order.*

§ 16. Abrogated by section fourth, title 4, of the ordinance of September 7, 1842 (10 Pro. C. C., p. 41), which section stands thus :†

Duties of,
as to pipes,
etc.

§ 4. It shall be the duty of the Superintendent and Water Purveyor to lay down all the distributing pipes, hydrants, and stop-cocks, under the direction of the Chief Engineer and Croton Aqueduct Board ; to examine into, and to report to the Croton Aqueduct Board, all applications for water, and generally to do all such duty as may be assigned to them ; and it shall be the duty of the Water Purveyor to attend all fires that may happen in the city ; to provide against all unnecessary waste of water, and see that all hydrants are closed at the termination of each conflagration.

To attend
fires

Duties of
Water Pur-
veyor.

§ 17, 18, 19, 20. Repealed by section second, title 4, of an ordinance to organize the Croton Aqueduct Department, passed August 5, 1840 (8 Pro. C. C., p. 36), which will be found ante, under its proper date.‡

Fire Ward-
ens.

§ 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30, all abrogated by various acts of the Legislature, passed since the approval of the ordinance of April 23, 1839.§

* Ordinance of April 23, 1839, page 300.

† For the original section sixteen of the ordinance of April 23, 1839, vide p. 300.

‡ For the sections thus repealed, as they stood in ordinance of April 23, 1839, vide pp. 300, 301.

§ For the original sections of the ordinance of April 23, 1839, thus abrogated, vide pp. 301, 305.

The laws now in force relative to Fire Wardens are as follows, and will be found in the acts passed March 7, 1849, chap. 84; March 29, 1850, chap. 120, and February 19, 1856, and will be found ante, under their appropriate dates :

(§ 28 of act of March 7, 1849, amended by section first, chap. 120, Laws of 1850.) The duties and powers that were by law conferred upon the Fire Wardens in the City of New York, prior to the passage of an act entitled "An act for the establishment and regulation of the police of the city of New York," passed May 7, 1844, as well as the duties and powers of the Fire Wardens, conferred upon the police by the said act, and by the act to amend the same, passed May 13, 1846, are hereby conferred and imposed upon the officers to be appointed as hereinafter in this section mentioned, who shall be known and designated by the name of the Fire Wardens of the city of New York.

That such Fire Wardens shall be twelve in number, and shall be selected from the firemen of the city of New York, exempt by law from duty at the time of such selection, whether then in active duty or not; and shall be appointed by the Common Council, upon the nominations of the Representatives of the Fire Department of the city of New York, by a majority of the votes cast by them for that purpose.

That the said Fire Wardens shall, within ten days after their appointment, be classified into three classes (four in each class), by lot, to be drawn by the president of the said Fire Department, at a time and place to be notified to said Fire Wardens, and a certificate of such drawing and

classification shall be signed by such president, vice-president, or trustee, and filed in the office of the clerk of the city and county of New York. The classes shall be respectively numbered one, two and three, according to the term of service of each. Class one shall serve one year; class two shall serve two years; class three shall serve three years, and until their successors in office shall be appointed. The first nomination and appointment of twelve Fire Wardens shall be made as soon after the passage of this act as practicable; and thereafter the nomination and appointment, in place of those whose term of office shall expire, shall be made annually, on or about the second Tuesday of April, in each succeeding year; the term of office of said Fire Wardens, who shall be first appointed as aforesaid, shall end as follows: class one, on the second Tuesday of April, 1851; class two, on the second Tuesday of April, 1852; and class three, on the second Tuesday of April, 1853, and until their successors in office shall be appointed as aforesaid.

Vacancies,
how filled.

All vacancies, happening during any term or terms of office, shall be filled, as often as they shall occur, by a like nomination and appointment.

(§ 29, of Law of March 7th, 1849, amended by section two, of Laws of 1850, chap. 120, and by Act of February 19, 1856.)

They are
to inquire in-
to violation
of the laws
for the pre-
vention of
fires.

It shall also be the duty of the said Fire Wardens, respectively, to inquire and examine into any and every violation of any of the provisions of the acts heretofore passed for the prevention of fires in the city of New York, and of the several acts amending or modifying the same, or in addition thereto, or extending the fire limits in said city, and

of this act; and it shall also be the duty of the said Fire Wardens, respectively, to give, or cause to be given, a notice, in writing, signed by at least one of them, to the owner and builder, respectively, of any such dwelling-house, store, store-house, building, ash-hole, ash-house, wooden shed, wooden building, or frame building in said city, which shall, after the passage of this act, be erected, built, raised, altered, enlarged, or built upon, or removed from one lot to another, or which shall, after the passage of this act, be in the course of erection, building, raising, altering, enlarging, or being built upon, or being removed from one lot to another, in violation of any of the provisions of the acts, or of any of them, mentioned or referred to in this section, or of this act, requiring such cause of violation to be removed within ten days after service of such notice; such service shall be made by leaving such notice with any person of suitable age, at such dwelling-house, store, store-house, building, ash-house, ash-hole, wooden shed, wooden building, or frame building, or by posting the same in a conspicuous place on such dwelling-house, store, store-house, building, ash-hole, ash-house, wooden shed, wooden building, or frame building.

It shall also be the duty of the said Fire Wardens, respectively, to report to the said Chief Engineer the location of, and the peculiar circumstances attending any building constructed, or in course of construction, deemed unsafe; and also to report, as aforesaid, all cases where goods shall be improperly stored in any building, so as to hazard the lives of firemen, or where such goods shall be too heavily laden in a building, or where any building shall, from any cause, have become unsafe.

Must attend
fire.

It shall also be the duty of said Fire Wardens, respect-

ively, to attend all fires in the fire districts, respectively, to which they may be allotted, and to wear at such fires the usual fire-cap, the words "Fire Warden" and the number of such district conspicuously painted thereon, in white, on a black ground.

To wear
fire-cap.

Report an-
nually to the
Common
Council.

That the said Fire Wardens shall report all their proceedings, and such facts and information as they shall acquire in respect to the subject matter of their duties, to the Common Council of the city of New York, and to the said representatives, annually, on or before the second Tuesday of April, and oftener, if required so to do.

Their office.

That the said Fire Wardens shall be provided by the Common Council of said city with an office, and with necessary fuel and stationery for the same; which office shall be kept open daily, Sundays and holidays excepted, from 8 o'clock, A. M., until 5 o'clock, P. M.

Clerk to
Fire Ward-
ens.

That said Common Council shall, upon the nomination of a majority of said Fire Wardens, appoint a suitable person as clerk to said Fire Wardens, at a salary not exceeding eight hundred dollars per annum, subject to removal at any time by the Common Council, upon the request of a majority of the Fire Wardens, for incapacity or neglect of duty prescribed to him by said Fire Wardens; and upon any such removal, another clerk shall, upon like nomination, be appointed as aforesaid; and it shall be the duty of the said clerk to attend at such office during said office hours. (Act of February 19, 1856, p. 126.)

Removal.

The Common Council, at the request of a majority of the whole number of the representatives of the said Fire

Department, may remove any of said Fire Wardens from office, for incapacity or neglect of duty.

(§ 32 of the act of March 7, 1849, was amended by the third section of the law of 1850.)

The said Fire Wardens shall have power to make such Fire Wardens' by-laws. by-laws for their own government as shall not be contrary to law, or to the ordinances of the Corporation of the said city, and as shall be approved of by said representatives.

(§ 33 of act of March 7, 1849, amended by the fourth section of the act of March 29, 1850, aforesaid, which was again amended by section 1, chap. 542, of laws of 1853.)

The compensation of said Fire Wardens shall be fixed by the Common Council of said city of New York, at the sum of five hundred dollars per annum to each Fire Warden; and shall, as well as the salary of said clerk and the rent of said office, and the expense of fuel and stationery, be paid by the Comptroller of said city, by warrants, quarterly; and the Board of Supervisors of the city and county of New York shall have power to raise, by tax, a sum necessary to defray the same.

Amount of salary confirmed by the Common Council on the 3d of October, 1853, by the following resolution:

Resolved, That the annual compensation to be paid to the Fire Wardens shall be the sum of five hundred dollars per annum each, to take effect from the passage of said act by the Legislature. Salary of Wardens confirmed by Common Council.

§ 31. The firemen shall be divided into companies, to consist of as many members as the Common Council shall, from time to time, direct, to attend to the fire-engines, hydrants, hose-wagons, and hooks and ladders belonging, or that may hereafter belong, to the Corporation of the city, Firemen.

or to such hydrants, fire-engines, hose-wagons, and hooks and ladders, as the Common Council shall direct ; and each of the companies shall, and may choose, out of their own number, a foreman, assistant, and clerk, in such a manner, and at such times as they think proper ; and it shall be the ^{Duty of} duty of the said firemen, as often as any fire shall break out in the said city, to repair, immediately upon the alarm thereof, to their respective engines, hose-wagons, hooks and ladders, and convey them to or near the place where such fire shall happen, unless otherwise directed by the Chief or other Engineer ; and there, in conformity with the directions given by the Chief Engineer, or other Engineers, to work and manage the said engines, or apparatus, and implements, with all their skill and power ; and when the fire is extinguished, they shall not remove therefrom but by the direction of an engineer ; and on such direction they shall return their respective hose-wagons, hooks and ladders, engines and apparatus, well washed and cleansed, to their several places of deposit. If any fireman shall neglect to attend to any fire as aforesaid, or leave his fire-engine or other apparatus, while at any fire, without permission, or shall neglect to do his duty on such occasion, without reasonable excuse, he shall, for every default, forfeit and pay the sum of three dollars ; and may, on request of the company to which he belongs, be removed from his station as fireman.*

To obey
engineers
when with
engines.

§ 32. It shall be the duty of each and every fire company, in going to, or returning from any fire, or alarm of fire, or removing their apparatus from their respective places of deposit, to obey the orders of the Chief or other Engineer.†

* Ordinance of April 23, 1889, p. 806.

† Ordinance of April 23, 1889, p. 807.

§ 33. And in case any foreman or assistant foreman, or any other fireman having charge of any fire company, disobeying or refusing to obey any order or direction given by the Chief Engineer, he shall, for such offense, be suspended or expelled from the Fire Department.*

Penalty for disobedience

§ 34, 35, 36, 37, and 38, repealed by an ordinance passed August 6, 1841 (9 Pro. C. C., p. 43), and which will be found under its proper date.†

Keep apparatus in order.

§ 39. It shall be the duty of all members of the Fire Department, as well as those who are hired for the purposes above-mentioned, to prevent all persons not belonging to the department from entering any house, or handling any apparatus belonging to the department.‡

Persons not firemen not to handle apparatus.

§ 40. Abrogated by section eighth of ordinance of June 22d, 1842 (9 Pro. C. C., p. 191), which is as follows:§

No fire-engine, nor hook and ladder truck, nor hose-cart shall, in going to or returning from any fire, or at any other time, be run, driven, wheeled or placed upon any sidewalk, except by the special order of one of the engineers, under the penalty of twenty-five dollars for each

Running apparatus on sidewalk prohibited.

* This section, as it stood in ordinance of April 23, 1839 (for which see p. 307), was amended by ordinance of March 5th, 1840 (7 Pro. C. C., pp. 124, 125), so as to read in the text by inserting the words "suspended or," in the last line.

† For the sections of the ordinance of April 23, 1839, thus repealed, vide pp. 307 and 308.

‡ Ordinance of April 23d, 1839, ante, p. 309.

In this connection, vide also sections 1, 2, and 6 of ordinance approved March 29th, 1858, pp. 399 and 400.

§ For the original section 40 of ordinance of April 23, 1839, vide p. 309.

offense, to be forfeited and paid by every person aiding or assisting in, or consenting to the violation of any one of the provisions of this section; to be recovered by the Attorney of the Common Council, for the use of the Corporation; and also, under the further penalty of the expulsion of the foreman and assistant-foreman, and all the members of the company.

For the more perfect enforcement of this section, the following resolution was approved May 8th, 1845:

Resolved, That the policemen and watchmen be directed to report to the Chief Engineer all fire companies found violating the ordinance relative to running fire apparatus on the sidewalk, together, when practicable, with the name of the officer or member in command.

The following resolution, which only reiterates the foregoing section of the ordinance of 1842, was approved May 17th, 1853 (9 Pro. C. C., p. 215):

Resolved, That the Chief Engineer of the Fire Department be, and he is hereby directed to notify the foreman of each and every engine, hose, and hook and ladder company, that after the passage of this resolution, the running of any engine, hose-carriage, or hook and ladder truck on the sidewalk, unless ordered by the Chief Engineer, or an assistant engineer, shall be deemed a sufficient cause to disband such engine, hose, or hook or ladder company.

Apparatus,
&c., not to
be removed
unless fore-
man, or as-
sistant fore-
man or two
firemen pres-
ent.

§ 41. No such fire-engine, hook and ladder, or hose-cart, during any fire in this city, or any report of fire, or at any time, under any pretense whatever, shall be taken or removed out of its house, unless the foreman or assistant-foreman, or at least two of the firemen of the company to which the same shall belong, shall be present and consent

thereto, under the penalty of *ten dollars* for every such offense, to be forfeited and paid by, and recovered from any and every person aiding and assisting in, or consenting to the violation of any of the provisions of this section.* Penalty.

§ 42. It shall be the duty of the several engineers, and of every foreman and assistant-foreman of every fire company, to report all violations of this ordinance to the Treasurer of the Fire Department.† Duty of Engineers, etc., to report violations.

§ 43. Abrogated by the 460th section of the ordinance of May 30th, 1849 (17 Pro. C. C., p. 135), which is as follows : ‡

The Chief Engineer may take any engine, hook and ladder or hose truck, from any company to which it is assigned, and place the same in the public yard, or assign it to another company, and shall forthwith report the same to the Common Council for their action.

§ 44. Abrogated by section 461 of the ordinance of May 30th, 1849 (17 Pro. C. C., p. 135), which is as follows : §

All firemen attached to a company whose engine, hook and ladder, or hose truck shall have been ordered to the public yard by reason of an insufficient complement of Ordering apparatus to public yard.

* Ordinance of April 23, 1839, p. 309.

† Ordinance of April 23, 1839, p. 310.

Vide, also, in this connection, sections 11 and 12 of the act of the Legislature passed March 29, 1855, p. 122.

‡ For the original section forty-three of the ordinance of April 23, 1839, vide p. 310.

§ For the original section forty-four of the ordinance of April 23d, 1839, vide p. 310.

men to manage the same, shall be attached, by the Chief Engineer, to any other company, to be designated by such firemen ; or, if they refuse to designate another company, the Chief Engineer shall report such refusal to the Common Council, for their action.

No engine
to be hired,
unless, &c.

§ 45. No fire-engine shall be let out for hire, or lent in any case, without permission from the Alderman and Councilmen of the ward wherein it is wanted to be used, and the Chief Engineer ; in default thereof, the firemen so offending shall be removed from the Fire Department.*

Fireman's
certificate of
appointment

§ 46. Whenever any fireman is appointed to supply any vacancy in any company, it shall be his duty to call on the Treasurer of the Fire Department and procure a certificate, within one month from the date of his appointment, specifying the name and number of the company to which such fireman shall be elected ; and any fireman, after being re-elected, shall obtain a new certificate, as aforesaid ; and it shall be the duty of the Chief Engineer to certify, on every return, whether a vacancy exists in the company. †

Re-election.

Expulsion.

§ 47. Abrogated by sections 462-3-4 of the ordinance of May 30th, 1849 (17 Pro. C. C., p. 135), and by sections 10 and 11 of the act of the Legislature, passed March 29, 1855, which are as follows : ‡

Applicants
and expelled
persons.

It shall be the duty of the Chief Engineer of the Fire Department to present to said Commissioners (the Commissioners of the Fire Department) the names of all persons applying to be volunteer firemen, and of all

* Ordinance of April 23d, 1839, ante, p. 310.

† Ordinance of April 23d, 1839, ante, p. 310.

‡ For the original section forty-seven of the ordinance of April 23d, 1839, vide p. 311.

persons expelled or resigned from the Department; and, on the same being duly investigated and determined by them, they shall certify the result of action to the Chief Engineer, who shall thereupon return the same to the Common Council for their approval.

The said Commissioners shall have cognizance of all complaints against volunteer firemen, for riotous or disorderly conduct at fires, or alarms of fire; or for violation of any of the State or city laws respecting the firemen of the city of New York; they shall diligently inquire into the same, and if the parties so charged shall be proved guilty, the said Commissioners are hereby empowered to suspend or remove such firemen, subject to the approval of the Common Council. (Act of March 29, 1855, secs. 10 and 11, vide p. 122.)

When a report shall be made to the Common Council, as provided in the last two sections, it shall not be finally acted upon by them, until it shall have been referred to a Committee, to ascertain and report the facts, with a full opportunity to the party complained of to be heard in his defense. (Ord. of May 30, 1849, sec. 464.)

§ 48. In order that the members of the Common Council, Engineers, and Fire Wardens may be more readily distinguished at fires, the Mayor, Recorder, Aldermen, and Councilmen* shall severally bear, on those occasions, a wand with a gilded flame at the top; and each of the engineers shall wear a leathern cap, painted white, with a gilded front thereto, and a fire-engine blazoned thereon, and shall also carry a speaking-trumpet, painted black, with the

* The original text reads "Assistants;" the amended charter of April 12th, 1853, changed the name to "Councilmen."

words "Chief Engineer," "Engineer No. 1," as the case may be, in white, which shall also be painted on their caps respectively.*

^{Caps of}
^{firemen.} § 49. The foremen of engine companies, and the firemen, shall, when on duty, wear leathern caps in the form heretofore used; and the said caps shall be painted and distinguished in the manner following, viz.: the cap of each foreman shall be painted black, with a white frontispiece, and the word "Foreman," with the initials of the name of the foreman, and the number of the engine to which he belongs, painted thereon, in black; the cap of each fireman shall be painted black, with the initials of the name of the fireman, and the number of the engine to which he belongs, painted in front thereof, in white; the foreman of each of the hook and ladder companies shall wear a cap, painted black, with a white frontispiece, and the word "Foreman," and the initials of his name, and the number of the company to which he belongs, and a hook and ladder painted thereon, in black; and each member of the hook and ladder companies shall wear a cap, painted black, with the initials of his name, and the number of the company to which he belongs, with a hook and ladder painted in front thereon, in white; and each foreman of the fire hose companies shall wear a cap, painted black, with a white frontispiece, and the word "Foreman," and the initials of his name, and the number of the company to which he belongs, and a coil of hose painted thereon, in black; and each member of the said fire hose companies shall wear a cap, painted

* Ordinance of April 23, 1839, vide p. 311. The remainder of this section refers to the cap to be worn by the Fire-wardens on occasion of fire. For the law at present in force, as to caps worn by Fire-wardens, vide p. 432, which also gives in detail the duties of said officers.

black, with the initials of his name and the number of the company to which he belongs, with a coil of hose painted thereon, in white; and the assistant to each respective company shall wear a cap, painted in the same manner as that of the foreman of the company, with the word "Assistant," in lieu of the word "Foreman." And it shall be the duty of the Chief Engineer to report to the Common Council the name of every person who shall neglect or refuse to comply with the foregoing requisitions, which said person shall thereupon be removed from his office.*

Section first of an ordinance passed June 14th, 1855, as amended by the ordinance of July 10th, 1856, and again by the ordinance of June 27th, 1859, makes it obligatory on every member of the Fire Department, and on exempt members when on duty, or at fires, to wear the leathern cap or a badge, as prescribed, under the penalty of suspension or expulsion of any fireman, or a fine of not less than twenty-five nor over two hundred and fifty dollars, and imprisonment for not less than ten days, for every exempt fireman neglecting or refusing so to do. (Vide ordinance of June 27, 1859, p. 411.)

§ 50. The names and places of abode of the members of the Common Council, Engineers, Fire Wardens, and foremen of the respective companies, and bell-ringers, shall, annually, in the month of June, be printed, and set up in the several police stations† by the City Inspector; and whenever any fire shall happen in the night, the police-

Aldermen
and Council-
men, Fire
Wardens,
Foremen, and
Bell-ringers
to be notified
of fires by the
Police men.

* Ordinance of April 23d, 1839, ante, p. 311.

† The act, passed by the Legislature May 7th, 1844, chap. 815, entitled "An act for the Establishment and Regulation of the Police of the City of New York," abolished the Watch department, and established a day and night Police.

men* shall give notice to each of the members of the Common Council, Engineers, Fire Wardens, foremen, and bell-ringers within their respective police districts;† and it shall, moreover, be the duty of every policeman, upon the breaking out of any fire, to alarm the citizens by crying Fire, and mentioning the street where it may be, so that the firemen and citizens may thereby be directed where to repair; and if any policeman shall neglect so to do, he shall forfeit and pay the sum of *one dollar*; and if it shall happen that a chimney only shall be on fire, either by day or by night, the fire-bell at the City Hall, and bells of the several churches in this city, shall not be rung; but only on occasions where a building shall be proclaimed to be on fire; and it is enjoined on the occupants to place a lighted candle at the windows of their respective buildings, when fire may happen at night, in order that the citizens may pass along the streets with the greater safety.

Bell-ring-
ers. § 51, 52, and 53, repealed by the ordinance of October 15th, 1853 (21 Pro. C. C., p. 438), which was amended by the ordinance of December 31, 1853; for present laws as to bell-ringers, *vide, post*, under proper date.‡

The sections in relation to bell-ringers, their pay and duties as now in force, are as follows:

Appoint-
ment of. The Mayor of the city of New York shall appoint three persons to act as bell-ringers at each of the different alarm districts in the city of New York. Such persons shall be selected from among the exempt firemen of the city.

* For further duties of the Police, in case of fire, *vide* ordinance of June 27th, 1859, pp. 414, 415.

† For the original text, *vide* ordinance of April 23, 1839, pp. 312, 313.

‡ The original sections 51, 52, and 53, thus repealed, will be found on pp. 313, 314.

The bell-ringers so appointed shall receive, as remuneration for their services, the sum of six* hundred dollars each per annum, and shall be subject to removal, by the Mayor, for misdemeanor or negligence of duty. (Ordinance of October 15th, 1853.) Pay.

The Comptroller is hereby authorized and directed to pay the salaries to the bell-ringers appointed in accordance with the directions of section one of this ordinance (which section increased the pay to six hundred dollars), out of the appropriation for the Fire Department. (Ordinance of December 31st, 1853.) Ibid.

[*Note.*—The stations for bell-ringers at present are, at City Hall Park, Marion street bell-tower, Macdougall street bell-tower, Essex and Union Market bell-towers, the bell-tower in Twenty-second street, the bell-tower in Thirty-third street, the bell-tower at Mount Morris, at the Yorkville bell-tower, and at the Post Office.]

§ 54. Upon the happening of any fire, the several police station† and market bells shall be rung, and also all other alarm bells; and the same shall be done when any one alarm bell shall ring, and the ringing thereof shall be continued until the ringing of the district bell shall be stopped.‡ Police station and market bells.

* The ordinance, as approved October 15th, 1853, made the salary five hundred dollars, but was subsequently amended so as to read as in the text, vide ordinance of December 31st, 1853.

† The original text read "watch-house," but the same is altered to conform to the act of the legislature passed May 7th, 1844, establishing a Police Department.

‡ This section stands as it did in ordinance of April 23d, 1839, ante, p. 274, excepting that by a resolution passed August 8th, 1840 (8 Pro. C. C., p. 41), it was amended by striking out, in the fifth line, the words "City Hall bell," and inserting "District bell."

Penalty for
neglect
of
bell-ringers.

§ 55 and 56. These sections, in relation to penalty for neglect of bell-ringers, the Chief Engineer to report the same, were repealed by the ordinance of October 5th, 1853 (21 Pro. C. C., p. 438), and which will be found under its proper date.* (Vide sections 51-2-3.)

Relative to
the removal
of policemen
for neglect to
give alarm of
fire.

§ 57. This section relative to the removal of policemen, by the Captain, for neglect to give alarm of fire, is virtually abrogated by the act passed the Legislature April 13th, 1853, which confines the power of removal to a Board of Commissioners.†

Constables
to attend at
fires.

§ 58. This section, making it the duty of the marshals and constables to attend at fires, with their staves of office, &c., was abrogated by the acts passed May 7th, 1844, and May 13th, 1844, abolishing the watch department and office of marshal, and by the act of the Legislature, passed April 13th, 1853, making it the duty of the police to repair to the scene of conflagration, for the preservation of property and the maintenance of order. (Vide p. 117.)‡

Police to
attend at
fires.

Chimneys.

§ 59. If any chimney, stove-pipe, or flue, within this city, shall take fire, the occupant of the house to which such chimney, stove-pipe, or flue appertains, shall forfeit and pay five dollars.§

Penalties.

Carpenters,
&c., to se-
cure shav-
ings.

§ 60. All carpenters, or others, making or using shavings, shall, respectively, at the close of each day, cause the same to be securely stowed, in some safe place, remote

* For the sections of the ordinance of April 23d, 1839, thus repealed, vide p. 314.

† For this section, as it stood in ordinance of April 23d, 1839, vide p. 314.

‡ For this section, as it stood in ordinance of April 23d, 1839, vide p. 315.

§ Ordinance of April 23d, 1839, p. 315.

from danger by means of fire, under the penalty of five dollars for each omission so to do.*

§ 61. No person shall kindle, nor furnish the materials Fire in the streets. for any fire, nor in any way authorize or allow any fire to be made in any street, road, or lane, or on any pier or bulk-head, in this city, except for the purpose of boiling tar, which fire shall not be more than six feet from the bulk-head or end of the pier, under the penalty of ten dollars for every such offense.†

§ 62. No person shall have, put, or keep any hay or straw, uncovered, in any stack or pile, or in any other way Hay and straw, how to be placed. exposed, within one hundred yards of any building, to the southward of Fourteenth street, or shall have, put, or keep, to the southward of said line, any hay, straw, hemp, flax, shavings, or rushes, in any building not built of stone or brick, and covered with tile or slate, or other fire-proof materials, which is, or shall be within ten feet of any dwelling-house or chimney whatsoever, under the penalty of twenty-five dollars for every such offense, and the further penalty of ten dollars for every twenty-four hours the same shall so remain after a printed or written notice shall be given to the owner, or person having charge thereof, by any Fire Warden to remove the same.‡

§ 63. No owner or occupant of any stable within this city, or any person in the employment of such owner or occupant, shall use therein any lighted candle or lamp, Candles, how to be used in stables. except the same shall be securely kept within a lantern, under the penalty of ten dollars for every such offense.§

* Ordinance of April 23d, 1839, p. 315.

† Ordinance of April 23d, 1839, p. 315.

‡ Ordinances of April 23d, 1839, p. 316.

§ Ordinances of April 23, 1839, p. 316.

Penalties,
how appro-
priated.

§ 64. All the fines, penalties, and forfeitures imposed by this law, on the members of the Fire Department, for not attending to fires, shall, when received, be paid to the treasurers of the respective companies aforesaid, in which the delinquencies may happen, for the use and benefit of said companies ; and all the other fines, penalties, and forfeitures, imposed by this law, shall, when recovered, be paid to the Treasurer of the "Fire Department of the City of New York," for the use and benefit of the said Fire Department. The Chief Engineer shall, annually, on the second Monday of December, in each year, report to the Common Council the amount of the sums which may be received by the Fire Department of the City of New York, and the application thereof.*

Penalties,
how recov-
ered.

§ 65. It shall be lawful for the Fire Department of the City of New York, and for the respective companies before mentioned, or persons duly authorized by them, to receive, sue for, and recover, in the name of the Mayor, Aldermen, and Commonalty of the City of New York, all the fines, penalties, and forfeitures hereby imposed, and appropriated for their respective uses, as aforesaid, except the penalty mentioned in the fortieth section of this law.†

Persons
not to be
elected fire-
men unless
21 years of
age.

§ 66. No person shall be elected a fireman until he shall have attained the age of twenty-one years ; and it shall be the duty of the foremen of the respective fire companies, when they report to the Chief Engineer the names of the persons elected firemen, to certify that the persons so elected are at least twenty-one years of age.‡

* Ordinances of April 23, 1839, p. 317.

† Ordinance of April 23, 1839, p. 317.

‡ Ordinance of April 23, 1839, p. 317.

The following resolution, approved October 11th, 1854, will show the present qualifications necessary for election as a member of the Fire Department.

Resolved, That all persons who may, in future, be elected to fill vacancies in fire companies, shall present to the office of the Chief Engineer a certificate of such election, signed by the foreman and secretary of the company in which he has been elected, and that said candidate, before the Chief Engineer presents his name to the Fire Commissioners,* shall make affidavit that he is a citizen of the United States, is twenty-one years of age, that it his intention to perform active duty as a fireman in the company in which his name is enrolled, and that he will promote subordination in the department.

§ 67. It shall be the duty of the Clerk of the Common Council to furnish the certificates required to be furnished to the firemen, without fee or reward.†

§ 68. It shall be the special duty of the Mayor to see that this ordinance is carried into full effect.‡

§ 69. Nothing contained in this ordinance shall deprive the Common Council of the power to repeal or alter the same at any time they may think proper.§

§ 70. All laws or parts of laws relating to the New York

* The resolution read "Common Council," and the alteration in the text is made to conform to the law of 1855, establishing the Board of Fire Commissioners.

† Ordinance of April 28d, 1839, ante, p. 817.

‡ Ordinance of April 28d, 1839, ante, p. 817.

§ Ordinance of April 28d, 1839, ante, p. 817.

Powers of
Common
Council to
repeal and
amend.

Laws here-
tofore passed
to be repeal-
ed.

Fire Department, heretofore passed by the Common Council, are hereby declared to be repealed.*

AN ORDINANCE to amend the laws and ordinances now in force relative to fires and the Fire Department in the city of New York.

PASSED July 16, 1839.

The Mayor, Aldermen and Commonalty of the city of New York, in Common Council convened, do ordain as follows :

Election of
Chief, etc.

§ 1 and 2. These sections, in relation to the election of Chief Engineer and Assistant Engineers, were virtually abrogated by sections one and two of the ordinance of June 22d, 1842, and by ordinances of March 22d, 1850, and of December 9th, 1853. Vide section two of the revision of the ordinance of April 23d, 1839, p. 420.†

Vacancy.

§ 3. This section, in relation to vacancy in the office of Chief Engineer or Assistant Engineer, was abrogated by section three of ordinance of June 22d, 1842. Vide section seven of revision of ordinance of April 23d, 1839, p. 425.‡

§ 4. This section, as to duty of Chief Engineer to certify elections, modifies section eight of ordinance of April 23d, 1839. Vide p. 425.

Rule for
elections.

§ 5. The engineers, and the foremen and assistant foremen of the fire companies, shall have power, and it shall

* Ordinance of April 23d, 1839, p. 317.

† The original sections of the ordinance of July 16, 1839, thus abrogated, will be found on pp. 318, 319.

‡ For the original section of ordinance of July 16, 1839, thus abrogated, vide p. 319.

be their duty, to establish and provide regulations, for holding and conducting the elections authorized to be held by this ordinance, and rules for testing the qualifications of electors thereat.*

§ 6. Every fireman, whose appointment as a member of the Fire Department shall have been confirmed by the Common Council three months next preceding the nomination at which he may offer to vote, pursuant to this ordinance, and shall then be, and for the last three months shall have been an acting and actual member of the Fire Department, shall be entitled to one vote upon such nomination.† ^{Who entitled to vote.}

§ 7. This section, amending section ten of the ordinance of May 9, 1838, in relation to repairing and constructing fire apparatus, has been repealed by the ordinance of January 4, 1859, reorganizing the Street Department, chap. 1, sec. 1, and chap. 3, art. 8, sections 1-11 (which will be found on pages 404 and 406 to 408, also hereafter following.)‡ ^{Duties of chief engineer in relation to repairing and constructing fire apparatus.}

§ 8. This section, in relation to the salary of the Chief Engineer, has been amended at sundry times. Vide revision of ordinance of April 23, 1839, section five, p. 424.§ ^{Salary of chief engineer.}

§ 9. This section repeals sections two, five, seven, eight, nine, ten and eleven of the ordinance of May 7th, 1838, ^{Repeal of sections of ordinances}

* Ordinance of July 16th, 1839, ante, p. 319.

† Ordinance of July 16th, 1839, ante, p. 320.

‡ The original section of the ordinance of June 16th, 1839, thus abrogated, will be found ante, p. 320.

§ The original section of the ordinance of July 16th, 1839, thus amended, will be found ante, p. 320.

not subject
to this revision.

with their subsequent amendments, alterations and reenactments.*

§ 10. All laws or parts of laws, so far as they conflict with any of the provisions of this ordinance, are hereby repealed.†

§ 11. This section, as to first nomination of Chief Engineer and Assistant Engineers, was abrogated by ordinance of December 9th, 1853. Vide revision of the ordinance of April 23, 1839, sec. 2, p. 421.‡

§ 12. Nothing contained in this ordinance shall deprive the Common Council of the power to repeal or alter the same at any time they think proper.§

Expenses of Election of Engineers of Fire Department.

PASSED November 19th, 1840.

Resolved, That the Comptroller be, and is hereby directed to pay no bills of expenses of any future election for engineers of the Fire Department, including advertising, inspectors' expenses, room-hire, stationery, &c., which shall exceed twenty-five dollars.

Resolution relative to Volunteers.

PASSED November 10th, 1841.

Resolved, That the practice of permitting volunteer asso-

* The original section of this ordinance of July 16th, 1839, will be found ante, p. 320.

† Ordinance of July 16, 1839, ante, p. 320.

‡ The original section of ordinance of July 16, 1839, will be found ante, p. 320.

§ Ordinance of July 16, 1839, p. 321.

ciations to assume the garb of firemen, and to mingle in the duties thereof, is not only in open and direct violation of the ordinances of the Common Council, but calculated, in its results, to demoralize the character of our youth, and bring reproach upon the department by the riotous and disorderly conduct in which they are so often engaged; and that the officers and members of each company be desired, forthwith, to disband all associations of volunteers, and upon no occasion to suffer or permit them to have access to the public property; and all magistrates, watchmen, and public officers are hereby requested to prevent the congregating of all boys around or in the vicinity of engine, hose, and hook and ladder houses, to the end that members of the Fire Department may be recognized as such, and be held responsible for all deviations from the path of duty, and the requirements of the ordinances of the Common Council.

Also, vide section nine of ordinance of June 22d, 1842, p. 336, and section one of ordinance of March 29, 1858, p. 399.

AN ORDINANCE *for dividing the city of New York into three Fire Districts.*

PASSED April 28th, 1842.

This ordinance was mostly abrogated by the ordinance passed November 25th, 1850, dividing the city into eight fire districts, regulating the ringing of the district bells, and designating the districts in which the various engine, hose, and hook and ladder companies shall be required to do duty. (For the ordinance of 1850, vide ante, p. 362).*

Number of
fire districts.

Striking of
bells.

Districts in
which com-
panies shall
do duty.

* For the ordinance of April 28th, 1842, thus abrogated, vide ante, p. 331

The following resolution, however, suffixed to the ordinance, is in full force as herein modified :

General
alarm.

Resolved, That no fire company shall remove their apparatus out of the districts designated, in case of fire, or an alarm of fire, under the penalty of being subject to expulsion or suspension from the Fire Department, unless they shall be permitted so to do by the Chief or one of the Assistant Engineers, who are hereby authorized to give the necessary signal, which is hereby declared to be the constant ringing of the alarm bell in the district in which the fire is, when the whole department shall proceed to the scene of conflagration.

AN ORDINANCE to amend and alter chapter 15 of the Revised Ordinances, entitled "*Of fires and the Fire Department*," passed April 23, 1839, and also an ordinance entitled "*An ordinance to amend and alter the laws and ordinances now in force, relative to fires and the Fire Department of the City of New York*."

PASSED June 22d, 1842.

The Mayor, Aldermen and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

§ 1. This section was amended by the ordinances of January 5th, 1850, June 18th, 1850, and May 6th, 1856, and also by the Act of the Legislature, passed March 29th, 1850, section 1. Vide section 1, revision of the ordinance of April 23d, 1839, ante p. 419.*

* This section, as it stood in the ordinance of June 22, 1842, will be found on page 333.

§ 2. For this section, as it at present stands, in relation to election of Chief Engineer and Assistant Engineers, vide section 2 of revision of ordinance of April 23, 1839, p. 420.*

§ 3. Whenever a vacancy shall occur in either of the ^{Vacancies, how supplied} offices of Chief Engineer, or Assistant Engineers, the engineers and the foremen of the fire companies, collectively, shall have power and it shall be their duty to call a special election, and designate the time for holding the same, to the end that a nomination, pursuant to the provisions of this ordinance, may be made to the Common Council, to supply such vacancy.†

§ 4. A portion of this section has been repealed. For ^{Duties of chief engineer.} the section as it now stands, vide section four of revision of ordinance of April 23, 1839, p. 421.‡

§ 5. This section, in relation to the sale of old and condemned engines, &c., was amended, and will be found, as amended, in section ten of revision of ordinance of April 23, 1839, p. 426.§ ^{Sale of old engines, etc.}

§ 6. This section, as to taking engines from companies, ^{Taking engines from companies.} was virtually abrogated by the 460th section of the ordinance of May 30th, 1849. (Vide section forty-three of revision of ordinance of April 23, 1839, p. 437.)||

* For this section, as it originally stood in the ordinance of June 22d, 1842, vide page 333.

† Ordinance of June 22d, 1842, ante, p. 334.

‡ The original section of the ordinance of June 22d, 1842, will be found ante, p. 334.

§ For the original section of the ordinance of June 22d, 1842, vide ante, p. 335.

|| The original section of the ordinance of June 22d, 1842, will be found ante, p. 335.

Salary of
chief.

§ 7. This section, as amended at intervals, will be found in section five of the revision of ordinance of April 23, 1839, p. 424.*

Running
apparatus
on sidewalk.

§ 8. For the acts of the Common Council in relation to running apparatus on the side-walks, vide section forty of the revision of ordinance of April 23, 1839, p. 435.†

Volunteers
prohibited.

§ 9. No boys or other persons, known as volunteers, shall be permitted to assume the garb of firemen, have access to any of the places of deposit of the fire engines, hose, hooks and ladders, or other apparatus of the Fire Department, or run as members with any such engine, hose cart, or hook and ladder truck, or form any association similar, in any way, to those now known as "Volunteer Associations," and any fire company in the city of New York, which shall consent to any violation of the provisions of this section, shall be forthwith disbanded. (Also, vide resolution of November 10th, 1841, and sections 1 and 2 of ordinance of March 29th, 1858, p. 399.)‡

Breaches of
the peace to
be reported.

§ 10. This section is amended by the act of the Legislature passed March 29, 1855, section 11 (giving the entire cognizance of all complaints against firemen to the Commissioners of the Fire Department, for which see page 122)—and now reads as follows: That in case of any breach of the peace, or other violation of good order, on the part of any of the firemen, while on duty, it shall be the duty of the officer in command, for the time being, forthwith to report the name of the person or persons so

* For the original section of the ordinance of June 22d, 1842, vide p. 335.

† The original section of the ordinance of June 22d, 1842, will be found ante, p. 336.

‡ Ordinance of June 22d, 1842, ante, p. 336.

offending to the Fire Commissioners, and, in case of his neglect to do so, he shall be held responsible for the same. *

§ 11. It shall be the especial duty of the foreman and ^{Duty of foremen and assistant foremen.} assistant foreman of each engine, hose, and hook and ladder company to see that the preceding sections of this ordinance are fully and strictly enforced, so far as regards the company to which such foreman or assistant foreman may be attached; and if either or both of them aid or consent to the violation of the provisions of such section, they, or either of them, so offending, shall be immediately expelled from the department. †

§ 12. This section, in relation to the number of men ^{Number of men.} allowed to engine, hose, and hook and ladder companies, was amended on the 18th June, 1846, and on the 8th of March, 1853, and also on the 10th November, 1854; which last resolution was further amended by resolutions of January 5th and 7th, 1857, and now reads as follows:

Resolved, That the complement of men allowed the different engine, hose, and hook and ladder companies, shall be as follows, viz.:

First class engines.....	70 men.
Second “ “	60 “
Third “ “	50 “
Hose companies.....	30 “
Hook and ladder companies.....	50 “

Hydrant companies to remain as they now are, and the Chief Engineer is hereby directed not to receive any more

* For section 10th of ordinance of June 22d, 1842, ante, p. 336.

† Ordinance of 22d June, 1842, ante, p. 336.

returns of members elected in the various fire companies, until the membership of each conforms to the before-mentioned standard. *

Election of
chief and
assistant
engineers.

§ 13. This section, as to first nomination of officers, was abrogated by the ordinance of December 9th, 1853. (Vide the last paragraph of revision of section two of ordinance of April 23, 1839, ante, p. 421.) †

Engine,
hose and
other fire
companies.

§ 14. This section, in relation to denomination of engine and other fire companies, has been frequently amended. For a complete list of all fire companies at present existing, vide Appendix. ‡

Repealing
section.

§ 15. All ordinances, or parts of ordinances, inconsistent with the provisions of this ordinance, are hereby repealed.

ORDINANCE to amend an Ordinance to regulate the Water Works of the City of New York, passed September 7, 1842.

PASSED April 13th, 1843.

Section one of this ordinance was amended by the ordinance passed December 9th, 1847, and now reads as follows :

§ 1. No person or persons, except the Mayor, Aldermen,

* For original section 12 of ordinance of June 22d, 1842, vide p. 337.

† For original section 13 of ordinance of June 22d, 1842, vide p. 337.

‡ For section 14 of ordinance of June 22d, 1842, vide p. 337.

and Councilmen* of the respective districts shall, without previous permission, in writing, from the Croton Aqueduct Board, unscrew or open any hydrant belonging or attached to the Croton Aqueduct Works, except for the extinguishment of fires (except in cases of fires in the neighborhood), nor shall leave said fire-hydrant open for a longer time than shall be limited in said permission, nor shall use the water for other purposes than may be mentioned in said permission, under the penalty of not less than five dollars, or more than twenty-five dollars, for each offense, in the discretion of the magistrate before whom the complaint shall be made.†

Hydrants
not to be
opened.

(The remaining sections do not immediately refer to the Fire Department.)

Change of name of "Committee on Fire and Water" to that of "Committee on Fire Department."

Resolved, That the name and style of the "Committee on Fire and Water" be changed to the "Committee on the Fire Department." Name of
Committee.

Approved February 10th, 1845.

* In the original, the reading was, "Assistants of the respective wards;" the Charter of April 12th, 1858, changed the word "Assistant" to "Councilman," and that of April 14, 1857, made the Aldermen and Councilmen elective from the present Aldermanic and Senatorial *Districts*. The text is made to conform to these changes.

† For the ordinance of April 13th, 1848, vide p. 344.

AN ORDINANCE.

The Mayor, Aldermen and Commonalty of the city of New York, in Common Council convened, do ordain as follows:

Duties of
foremen and
secretaries of
companies.

§ 1. It shall be the duty of the foremen and secretaries of the several fire companies of said city to make an annual return of the members of their respective companies to the Chief Engineer of the Fire Department, as heretofore; such returns shall, however, be made under the oath of the foreman and secretary, that the persons therein named as members of their respective companies are actual and active members thereof. And it shall be the duty of the Clerk of the Common Council, on the said returns being presented by the said Chief Engineer to the Common Council, to correct the Register of the Firemen, in his office, in accordance with said returns.

Fire regis-
ter.

§ 2. All ordinances, or parts of ordinances, inconsistent herewith, are hereby repealed.

Passed April 19th, 1850.

AN ORDINANCE *prescribing the duties of Policemen in cases of fires.*

PASSED February 18, 1852.

The Mayor, Aldermen and Commonalty of the city of New York, in Common Council convened, do ordain as follows:

Duty of
police on an
alarm of fire.

§ 1. It shall be the duty of the policemen on duty, whenever an alarm of fire shall be raised during the night, to give notice thereof to the several firemen residing within their respective beats, at their places of residence, who, in

accordance with the fire regulations, ought to turn out on occasion of such alarm.

§ 2. Each fireman shall deliver, to the Captain of Police for the district in which he shall reside, a statement of his name and place of residence, and the Captains of Police shall furnish the several policemen under their charge with the names and residences of firemen residing within the respective beats of such policemen; and it shall be the duty of the policemen to notify all such persons, in accordance with the provisions of section one of this ordinance.

Residences of firemen to be furnished policemen.

§ 3. This ordinance shall take effect immediately.

Resolution as to returns of companies prior to location.

APPROVED March 31, 1855.

Resolved, That the Chief Engineer is hereby instructed not to receive the returns of any persons who may hereafter be organized as a fire company until the said company is provided with a location and apparatus by the Common Council, and to date the said returns to the Common Council for confirmation from the time the said company is fully ready to perform active fire duty.

Returns not to be received before located.

Resolution as to amount of hose to be carried by a company.

APPROVED May 7, 1855.

Resolved, That hereafter all hose companies shall carry not less than nine lengths of hose, and the Chief Engineer is

Lengths of hose to be carried.

hereby directed to notify all hose companies to comply with this resolution immediately after the passage thereof.

AN ORDINANCE *for the better regulation of the Firemen of the city of New York.*

PASSED June 14, 1855.

The Mayor, Aldermen and Commonalty of the city of New York, in Common Council convened, do ordain as follows :

§ 1.* This section was amended by the ordinance of July 10, 1856, and again by the ordinance of June 27, 1859, and now reads as follows :

Firemen to
wear fire-
caps or
badges.

All members of the New York Fire Department, and all such exempt members as are authorized by the Commissioners of the Fire Department, shall, hereafter, when on duty as firemen, or at fires, wear the leathern cap, as heretofore used, or a badge, as hereinafter provided, which said badge shall be worn in a plain, conspicuous manner, on the breast, and shall be worn and visible during the whole time that such member, or exempt member, shall remain at the fire ; and any fireman neglecting or refusing to wear his badge, as above specified, shall be subject to suspension or expulsion from the Department ; and any exempt fireman, so refusing or neglecting, shall be subject to a fine of not less than twenty-five nor over two hundred and fifty dollars and imprisonment not less than ten days ; and all fines so collected shall be paid over to the Treasurer of the Fire Department Fund.

* For section first of ordinance of June 14, 1855, *vide* page 377.

§ 2.* This section is amended by section two of the ordinance of June 27th, 1859 (*vide* page 411), and now reads :

The badge mentioned in the preceding section shall be made of Prince's metal, bearing the letters " N. Y. F. D.," and each badge shall bear a distinct number in raised figures thereon, of white metal, the same to represent the number of each company, and also a register number, in small figures, stamped thereon; and the badge to be worn by exempt firemen, as provided for in section third of this ordinance, shall be composed of white metal, with the figures thereon of Prince's metal, but in all other respects to conform to the badge herein described for the use of the active members of the department; said badges shall be struck from dies, which shall be exclusively the property of the Corporation of the City of New York, and shall be placed in the custody of the clerk of the Common Council; and all of such badges shall be numbered as the Commissioners of the New York Fire Department may direct.

Inscription and composition of badges.

§ 3.† This section was altered by section first of ordinance of December 28, 1855 (*vide* p. 382), but by section third of the ordinance of June 27, 1859 (*vide* p. 412), it was restored to its original reading, and is as follows :

The said badges shall be deposited with the Commissioners of the New York Fire Department, who shall have sole charge of the distribution of the same; and it shall be the duty of the said commissioners to keep a register of the names of all persons who now are, or who may here-

Badges to be deposited with the Commissioners of the New York Fire Department.

* For section two of ordinance of June 14, 1855, *vide* p. 377.

† For section three of ordinance of June 14, 1855, *vide* p. 378.

after become, members of the New York Fire Department, and of the number of the company to which said persons are attached; and also of the names of such exempt firemen as may, in writing, be permitted by the said Commissioners to wear the badges aforesaid, and of the number of the badge delivered to each of said firemen, or exempt firemen.

§ 4.* Was amended by section second of the ordinance passed December 28, 1855 (vide p. 383), and again by section fourth of the ordinance of June 27, 1859 (vide p. 412), and now reads :

Badges to
be delivered
to active and
exempt fire-
men.

It shall be the duty of the Commissioners of the New York Fire Department to deliver to each fireman one of the badges aforesaid; and the said Commissioners shall also deliver one of the aforesaid badges to each of such exempt firemen as may, by virtue of section 16, of an act of the Legislature of the State of New York, entitled, "An act for the better regulation of the firemen in the city of New York," passed March 29th, 1855, be permitted by the said Commissioners to wear the same.

§ 5.† This section was amended by section third of the ordinance of December 28, 1855 (vide p. 383), and again by section fifth of ordinance passed June 27, 1859 (vide p. 413), and, as amended, reads :

Badges to
be the exclu-
sive property
of the city.

The badges herein mentioned shall be the exclusive property of the city of New York; and when any member shall resign, or be suspended or expelled therefrom, it shall be the duty of the foreman and secretary of the com-

* For the original section 4, of ordinance of June 14, 1855, vide p. 378.

† For the original section 5, of ordinance of June 14, 1855, vide p. 378.

pany to which such member was attached to make a return of such suspension, expulsion, or resignation, forthwith, to the Chief Engineer, together with the badge formerly worn by such member, and the Chief Engineer shall report weekly to the Commissioners aforesaid the names of such members of the Fire Department as shall have resigned, or been suspended, or expelled therefrom since his last report, and shall, with said report, return to the said Commissioners the badges worn by such members.

§ 6.* Was amended by section six of the ordinance of June 27th, 1859 (vide p. 413), and, as amended, reads:

If the foreman and secretary of any company, or either of them, shall fail to comply with the provisions of the preceding section, in relation to the return of badges, no return of members elected by such company shall be received therefrom, unless good and satisfactory cause shall be shown to the Commissioners why said badges are not returned; and should any member of the Fire Department lose his badge, it shall be his duty to report said loss within two weeks, to the said Commissioners, and it shall be their duty to inquire into the circumstances of the case, and, unless they are satisfied that such loss was without fault on the part of said member, they shall have power to suspend or expel said member from the department, in their discretion, but should the loss be satisfactorily accounted for to the said Commissioners, then they shall grant a new badge to said member, who shall pay one dollar upon receiving the same, as a penalty for said loss (which money shall be paid to the Treasurer of the Fire Department Fund, by said Commissioners, they taking his receipt for the same),

Badges to
be returned.

* For the original section 6, of ordinance of June 14, 1855, vide p. 379.

and any member of the department not complying with the above provision shall be expelled.

§ 7.* Was amended by section 7th of ordinance passed June 27th, 1859 (vide p. 414), and, as amended, reads :

Exempt firemen to have permission to use a badge, renewed annually in May.

Every exempt fireman receiving a badge shall have the permission to wear the same renewed some time during the month of May, in each year, otherwise such permission shall be deemed revoked, and the said Commissioners may at any time revoke any permission so granted by them, but in case such permission is not renewed, or is revoked, it shall be the duty of such exempt fireman to restore the badge, previously worn by him, to the said Commissioners.

§ 8.† Amended by section ninth of ordinance of June 27th, 1859 (vide p. 414), and, as amended, reads :

Fines for not complying with the foregoing sections.

Any member of the New York Fire Department, or exempt fireman, who shall violate any of the foregoing sections of this ordinance, shall be subject to a fine of not less than twenty-five, nor over two hundred and fifty dollars, and to imprisonment for the term of ten days ; and all fines so collected shall be paid over to the Treasurer of the New York Fire Department Fund.

Duties of Police at fires.

§ 9. It shall be the duty of the police, when a fire occurs, to form a line, at least two hundred feet distant from the said fire, on either side thereof ; and they shall not, under any circumstances, permit any person to pass said line, unless said person shall wear the uniform or badge of the Fire Department, the uniform of the insurance patrol, or be a member of the Common Council, a member of the

* For section 7 of ordinance of June 14, 1855, vide p. 379.

† For section 8 of ordinance of June 14, 1855, vide p. 380.

Police Department, an owner of property within, or resident in the prescribed lines.*

§ 10. It shall be the duty of the police to promptly remove, from within the said lines, all persons not designated in the last preceding section, and all persons refusing to retire, at the request of a policeman, from within the said lines, shall be deemed guilty of a misdemeanor, and forthwith arrested.†

§ 11. All ordinances, and parts of ordinances, so far as the same are inconsistent with any or all of the provisions of this ordinance, are hereby repealed.‡

Ibid.

Ordinances to be repealed.

§ 12. This ordinance shall take effect immediately.

AN ORDINANCE to create a Messenger to the Board of Commissioners of the New York Fire Department.

PASSED November 7th, 1855.

The Mayor, Aldermen and Commonalty of the City of New York, in Common Council convened, do ordain as follows:

§ 1. The Commissioners of the New York Fire Department shall nominate, and the Common Council shall appoint, a suitable person to be a messenger.

The Commissioners of the Fire Department to nominate a messenger.

§ 2. The said messenger shall have charge of the meeting-room of said Commissioners, and keep the same in order; shall have the charge of the door, at all meetings,

Duties of messenger.

* Ordinance of June 14, 1855, vide p. 380.

† Ordinance of June 14, 1855, vide p. 380.

‡ Ordinance of June 14, 1855, vide p. 380.

and shall deliver all notices and documents, as may be required by said Commissioners, and perform such other duties as they may deem necessary.

§ 3.* This section, relative to salary of messenger, was amended by the following Resolution of January 2d, 1858 (*vide* p. 391):

Resolved, That the salary to the messenger to the Board of Fire Commissioners be, and is hereby, increased to six hundred dollars per annum, to take effect from the date of the passage of this resolution.

§ 4. A majority of said Commissioners may, at any time, remove said messenger for the non-performance or neglect of any of his duties.

AN ORDINANCE *to amend an Ordinance, entitled, "An Ordinance for the better regulation of the Firemen of the City of New York," passed June 14th, 1855.*

PASSED December 28th, 1855.

Badges to
be deposited
with the
Chief Engi-
neer.

§ 1.† This section, amendatory of section third of ordinance of June 14th, 1855, was repealed by section third of ordinance passed June 27, 1859; and for its present reading, *vide* revision of ordinance of June 14, 1855, section third, on page 461.

§ 2.‡ This section amended section fourth of ordinance

* For the original section 3 of the ordinance of November 7th, 1855, *vide* p. 381.

† For section first of ordinance of December 23, 1855, *vide* p. 382.

‡ For section second of ordinance of December 23, 1855, *vide* p. 383.

of June 14, 1855, and has been amended by section fourth of ordinance passed June 27, 1859: for its present reading, *vide* revision of ordinance of June 14, 1855, section 4, p. 462.

Badges to be delivered to active and exempt members.

§ 3.* This section, amending section fifth of Ordinance of June 14, 1855, was repealed by section fifth of Ordinance of June 27th, 1859: for its present reading, *vide* revision of ordinance of June 14th, 1855, section 5, p. 462.

Badges to be returned to the Chief Engineer.

AN ORDINANCE *creating additional Engineers of the New York Fire Department.*

PASSED May 6th, 1856.

§ 1. The firemen of the city of New York shall hold an election, to nominate to the Common Council, in the manner as now prescribed by law, two Assistant Engineers of the Fire Department, both of whom shall reside in that section of the city lying between Twenty-second and Eighty-sixth streets, one of whom shall reside east, and the other west of Sixth avenue.

Election of Assistant Engineers.

§ 2. The said election shall take place on or before the first day of May, 1856; and the engineers so nominated to the Common Council, their term of office shall expire at the same time as the assistant engineers, elected at the election held in the month of March, 1856.

Expiration of the term of Assistant Engineers.

This ordinance increased the number of Assistant Engineers to thirteen. *Vide* revision of ordinance of April 23d, 1839, section 1, on page 419.

* For section third of ordinance of December 28, 1855, *vide* p. 383.

AN ORDINANCE *to amend the ordinance for the better regulation of the Firemen of the city of New York, approved by the Mayor June 14th, 1855.*

PASSED July 10th, 1856.

Fire caps
and badges
to be worn,
and penalty
for refusal or
neglect to do
so.

This ordinance* amended section first of the ordinance of June 14th, 1855, which was subsequently amended by section first of the ordinance of June 27th, 1859. *Vide* revision of former ordinance, section 1, page 460.

Resolution to increase the salary of the Clerk to the Board of Fire Commissioners.

Resolved, That the salary of the Clerk of the Board of Commissioners of the New York Fire Department be, and the same is hereby increased from the sum of five hundred dollars per annum to the sum of eight hundred dollars per annum.

Approved December 4th, 1856.

Resolution, designating the Post Office Bell as one of the District Bells.

Resolved, That the Commissioner of Repairs and Supplies be, and he hereby is directed, in connection with the United States authorities, to alter the cupola of the post office, for a look-out, advertising for proposals if necessary. And the post office bell is hereby designated as one of the dis-

* For the original ordinance of July 10, 1856, *vide* p. 384.

trict bells of this city, to be governed by the same rules and regulations as the other district bells.

Approved by the Mayor April 29th, 1857.

Resolution, to increase the salary of the Chief Engineer of the Fire Department.

Resolved, That the salary of the Chief Engineer of the Fire Department be increased to five thousand dollars per annum, such increase to take effect from the 17th February, 1857, when the present incumbent entered upon the discharge of the duties of said office.

Approved December 9th, 1857.

Resolution to increase the number of Telegraph Operators at the Fire-Alarm Station in the City Hall.

Resolved, That his Honor the Mayor be, and he is hereby authorized to appoint one additional attendant on the fire-alarm telegraph; now located in the basement of the City Hall, if, in his judgment, he should deem it necessary.

Approved February 3d, 1858.

(This resolution increased the number of operators to three.)

Resolution fixing the Salaries of the Telegraph Operators at the City Hall Fire-Alarm Telegraph Station.

Resolved, That the persons appointed by the Mayor to

perform the duty of operating the Fire Telegraph, in the City Hall, be, and they are hereby allowed each the sum of (not to exceed) eight hundred dollars per annum, the same to take effect from the date of their appointment.

Approved March 6th, 1858.

(For particulars as to the Fire Telegraph, vide resolutions of December 2d, 1847, and January 25th, 1851, to be found on pp. 349, 366.)

AN ORDINANCE *for the better Regulation of the New York Fire Department.*

PASSED March 29th, 1858.

Engine
houses, regu-
lations con-
cerning.

§ 1. It shall be the duty of each and every fireman to prevent boys or disorderly characters from congregating in or about the place of deposit of their various apparatus, and not to allow the said place of deposit to be used for any other purposes than those directly connected with the performance of their duty as firemen. No persons, other than members and exempt members of the company, or of the Fire Department, in good standing, shall be allowed to sleep in any engine, hose, or hook and ladder house; neither shall the street doors of the said houses be kept open except while persons are passing in and out, or while any necessary repairs or cleaning are being performed. It shall also be the duty of the said firemen to see that good order is preserved in and about the houses occupied by their respective companies, and to prevent any persons from habitually congregating on the walks in front of the houses of their said apparatus.

§ 2. In going to or returning from a fire, the drag-rope shall be the proper place for the firemen, except the officers in command, and it shall be their duty to prevent all boys, and noisy and improper persons, from taking hold of the rope. On no account shall a person, other than a member of the company, or a member or exempt member of the Fire Department, known to at least two of the members of the company present, be allowed to manage or have any control of the tongue or tiller of any apparatus, in going to or returning from a fire. It shall also be the duty of the officers and members of each and every company, when returning with their apparatus from a fire, or alarm of fire, to prevent any racing of their company with any other company, and to abstain from any conduct that would be likely to cause a breach of the peace, or reflect discredit on the Fire Department. It shall further be their duty to use all endeavors to cultivate good feeling among the members of the Fire Department.

§ 3. Each and every officer or member in command of a company shall be held responsible for his actions, while exercising command over any fire apparatus, or for any willful neglect or violation of any of the duties incumbent upon him.

§ 4. No fireman, while under suspension for any violation of the ordinances relative to the Fire Department, shall be permitted to wear a fire-cap bearing the frontispiece of the company to which he is attached, nor be allowed to vote at any election held by the company; neither shall he be permitted to take part in any of the meetings, or to frequent the house occupied by his company. And no person suspended or expelled from the Fire Department shall be allowed to take command or exercise

Regulations
in going to
and return-
ing from
fires.

Responsi-
bility of
officers and
members.

No fireman
under sus-
pension to
wear a front-
ispiece, nor
be allowed to
vote at any
election, &c.

control over any fire apparatus while he remains under such sentence of suspension or expulsion.

Companies
to proceed to
fire with all
due diligence

§ 5. It shall be the duty of each and every company, on an alarm of fire being given for the district or districts in which the said company does duty, to proceed with all due diligence and by the most convenient route to the fire, or to the place from whence the said alarm originated, unless otherwise directed by an Engineer; avoiding all lying in wait, or any departure from their usual route, for the purpose of racing with any other company.

Penalties
for violation
of any of the
ordinances
relative to
Fire Depart-
ment.

§ 6. Any engineer, officer of a company, or member of the Fire Department, who shall violate any of the ordinances relative to the Fire Department, or who shall knowingly or willfully consent to or assist in any violation of the same, shall be liable to suspension or expulsion from the Fire Department. And any company so found guilty of a violation of any of the ordinances of the Fire Department shall be liable to be disbanded.

Repealing
section.

§ 7. All ordinances or parts of ordinances, inconsistent with the provisions of this ordinance, are hereby repealed.

Resolution relative to Unsafe Buildings.

Resolved, That the Chief Engineer of the Fire Department be, and he is hereby directed to cause to be printed, in a durable manner, a list of all buildings which have been examined and pronounced unsafe by the Board of Fire Wardens, and have one or more copies thereof posted in each of the engine, hose, and hook and ladder houses in the city, and that the same be done annually, in lieu of advertising.

Approved May 7th, 1858.

*AN ORDINANCE for the better Regulation of the Firemen
of the City of New York.*

PASSED December 23d, 1858.

It shall be the duty of the Foreman and Secretary of each and every engine, hose, and hook and ladder company to report to the Board of Fire Commissioners, on the second Tuesday in April and October in each year, a list of members, with the number of fires, or alarms of fire, which have occurred during the preceding six months, in the districts in which they perform duty, and the amount of duty performed by each member, which report must be sworn to before the Board of Fire Commissioners; and the Foreman and Secretary of each and every Company neglecting to comply with this ordinance shall be expelled.

Foremen and Secretaries to make reports to the Fire Commissioners twice in each year.

AN ORDINANCE.

PASSED January 4th, 1859.

Be it ordained by the Mayor, Aldermen and Commonality of the City of New York, in Common Council convened :

That the ordinance to reorganize the Street Department, passed June 26th, 1857, be amended to read as follows :

CHAPTER I.

OF THE STREET DEPARTMENT AND ITS BUREAUX GENERALLY.

§ 1. The Street Department shall have cognizance of

* * * * *

the construction, repairing, lighting and care of the build- Construction, &c., of.

Hose, Engine
and Hook
and Ladder
Houses.

Furnishing
Supplies.

Construct-
ing, altering,
and repair-
ing of Fire
Apparatus.

ings, offices, rooms, and public yards of the corporation, the supplying the public buildings and offices and rooms of the corporation, the court-rooms, for which supplies are furnished by the corporation, the police station-houses, the engine and other houses of the Fire Department, and the public markets, with fuel, stationery, printing, and all other things necessary therefor; the constructing, altering, and repairing of fire engines, hose, and all other machines and apparatus for the use of the Fire Department; the removing incumbrances from streets, roads, places, wharves, piers and slips; the doing and furnishing of all other necessary work, repairs and supplies not provided for in other departments; the collecting of all assessments.

§ 2. There shall be eight bureaux in the Street Department, viz.:

* * * * *

6. A bureau for constructing and repairing public buildings, and for procuring all necessary supplies for the corporation, to be called the "Bureau of Repairs and Supplies."

7. A bureau for repairing fire-engines and fire-apparatus, under the charge of the Chief Engineer of the Fire Department, and for the construction of all new fire-engines and fire-apparatus, to be called the "Bureau of the Chief Engineer of the Fire Department."

* * * * *

CHAPTER III.

OF THE BUREAU OF THE STREET DEPARTMENT.

* * * * *

ARTICLE VII.

The Deputy Superintendent of Repairs and Supplies.

§ 1. There shall be in the Bureau of Repairs and Supplies an officer, who shall be called the Deputy Superintendent of Repairs and Supplies, who is charged with the duty of superintending the supplying the public rooms and offices and court-rooms of the Corporation, the police station-houses, the engine and other houses of the Fire Department, and the public markets, with fuel, stationery, printing, and all other things necessary therefor, and of superintending the furnishing of all other necessary supplies for the Corporation, except in cases where other provision is made therefor. He shall receive payment monthly for his services, at the rate of two thousand dollars per annum.

The Deputy Superintendent to have charge of Supplies, &c. for the use of engine and other houses of the Fire Department.

* * * * *

ARTICLE VIII.

The Bureau of the Chief Engineer of the Fire Department.

§ 1. This Bureau, of which the Chief Engineer of the Fire Department shall be the chief officer, is charged with the duty of repairing fire-engines, hose-carts, hooks and ladders, hose, and other machines and apparatus, for the use of the Fire Department.

The Bureau of the Chief Engineer to have charge of all repairs to fire apparatus.

§ 2. The Chief Engineer of the Fire Department shall oversee and superintend the repairing of fire-engines, hose-

Chief Engineer to superintend

all repairs to apparatus. carts, hooks and ladders, and other machines and apparatus for the use of the Fire Department.

Shall make all estimates connected with his Bureau. § 3. He shall make all estimates necessary to, or connected with the performance of the duties of his bureau, when required by the Street Commissioner.

Shall inspect all apparatus. § 4. He shall, from time to time, inspect the fire-engines, hose-carts, hooks and ladders, hose, and other machines and apparatus, for the use of the Fire Department; and shall report to the Street Commissioner any repairs which may be required thereon. If the Street Commissioner approve thereof, he shall report the same to the Common Council, except that, when the expenditure shall not exceed seventy-five dollars in any one case, he may direct the same to be done.

May make small repairs to apparatus in Corporation yard. § 5. The Chief Engineer may, with the consent of the Street Commissioner, make small repairs in the Corporation Yard, to the hose and hooks and ladders of the Fire Department.

To cause to be kept in his bureau a detailed account of all work, &c., under its supervision. § 6. He shall cause to be kept in his bureau accounts of the time of all persons to be paid by wages for work, under the supervision of his bureau, and of the work upon which they are engaged, and of all the other expenditures of his bureau, and of the expense of each particular work or job, with the items thereof.

Shall examine, audit and certify all pay-rolls and other accounts under the supervision of his bureau. § 7. He shall examine and audit all pay-rolls and all accounts for work done, or materials furnished under the supervision of his bureau, and, if found correct, shall certify them in writing, and shall deliver them with proper vouchers to the Street Commissioner; and in all cases of contract work under his supervision, he shall examine and

report to the Street Commissioner as to the fulfillment or breach of the contract therefor ; and he shall certify, on every voucher for payment thereon, that such payment is due, in accordance with the terms of the contract.

§ 8. He shall, in all matters connected with his bureau, ^{To be under the control of the Street Commissioner.} be under the control, direction, and supervision of the Street Commissioner, who may approve or disapprove all accounts certified by him, and by whom alone all requisitions upon the Comptroller for the payment thereof shall be made.

§ 9. No new fire-engine, hose, or hook and ladder carriage, shall be constructed for the Fire Department, unless ^{Relative to constructing new engines and carriages.} the same shall be authorized by the Common Council.

§ 10. There shall be in this bureau a Superintendent of ^{Superintendent of Fire Apparatus.} Fire Apparatus, to be appointed by the Street Commissioner, who shall be a practical machinist and fire-engine builder, and who shall be an exempt fireman, whose duty ^{His duties.} it shall be to superintend the construction and proper working and keeping of fire apparatus, and such other duties as may be required in the direction of the Fire Department, which shall not interfere with any existing ordinance, or conflict with the firemen in the discharge of their duties. The Superintendent of Fire Apparatus shall receive payment for his services monthly, at the rate of one thousand ^{His salary} dollars per annum.

§ 11. There shall be a foreman of the Corporation Yard, ^{Foreman of Corporation Yard.} in this bureau, to be appointed by the Chief Engineer, whose duty it shall be to superintend the repairing and cleaning of hose, and take charge of the same, and to perform all such other duties as may be assigned to him by the Chief Engineer, and shall receive a salary of one thousand dollars per annum, payable monthly. There shall also be

Clerks. two clerks in this bureau, to be appointed by the Chief Engineer, who shall keep the accounts of this bureau, and perform such other duties as shall be directed by the Chief Engineer, at a salary of one thousand dollars each, per annum, payable monthly. The Chief Engineer shall also have authority to employ laborers in the Corporation Yard, not to exceed eight in number, at a compensation of two dollars per day.

* * * * *

Resolution fixing the amount of gas allowed to fire companies.

Resolved, That the annual amount allowed to each fire company for gas be increased to the sum of seventy-five dollars (\$75), the same to take effect from the passage of this resolution.

Approved February 19th, 1859.

FIRE WARDENS *elected on 13th April, 1859.*

Stephen Hallick, George C. Brown, William H. McDonough, and Samuel Cheshire, to serve three years, to fill vacancies occasioned by the expiration of the terms of George C. Brown, John T. Harding, William H. McDonough, and Theodore Keeler.

Approved by the Mayor, April 26th, 1859.

AN ORDINANCE

To amend an ordinance for the better regulation of the Firemen of the city of New York, passed June 14th, 1855.

PASSED June 27th, 1859.

§ 1.* This section amended section first of the ordinance of June 14th, 1855, and also abrogated the ordinance of July 10th, 1856. *Vide* revision of ordinance of June 14th, 1855, p. 460. Fire Caps and Badges to be worn, and penalties for refusal or neglect.

§ 2.† Amended the second section of the ordinance of June 14th, 1855. *Vide* revision of that ordinance on p. 461. Inscription on, and composition of Badges.

§ 3.‡ Amended the third section of the ordinance of June 14th, 1855, and abrogated section first of the ordinance of December 28th, 1855. *Vide* revision of ordinance of June 14th, 1855, p. 461. Badges to be in charge of Fire Commissioners.

§ 4.§ Amended the fourth section of ordinance of June 14th, 1855, and abrogated the second section of ordinance of December 28th, 1855. *Vide* revision of ordinance of June 14th, 1855, p. 462. Badges to be delivered to active and exempt members.

§ 5.|| Amended the fifth section of ordinance of June 14th, 1855, and abrogated the third section of ordinance of December 28th, 1855. *Vide* revision of ordinance of June 14th, 1855, p. 462. Badges to be the property of the City, and to be returned.

* For section first of ordinance of June 27, 1859, *vide* p. 411.

† For section second of ordinance of June 27, 1859, *vide* p. 411.

‡ For section third of ordinance of June 27, 1859, *vide* p. 412.

§ For section fourth of ordinance of June 27, 1859, *vide* p. 412.

|| For section fifth of ordinance of June 27, 1859, *vide* p. 413.

In case of failure of foreman and secretary, to return badges. § 6.* Amended the sixth section of the ordinance of June 14th, 1855. *Vide* revision of said ordinance, p. 463.

Relative to renewing and revoking permission to exempt firemen to wear badges. § 7.† This section amended section seventh of ordinance of June 14th, 1855, and relates to the renewal and revoking of the permission given to exempt firemen to wear badges. *Vide* revision of ordinance of June 14th, 1855, p. 464.

Penalty for loaning badges. § 8.‡ Any member of the New York Fire Department, or exempt fireman, who shall loan his badge to any person, shall be liable to the penalties as set forth in section first of this ordinance; and if any badge shall become broken, or the figures be displaced, while in the possession of such member or exempt fireman, he shall return the same forthwith to the said Commissioners, and, in default of the same, said member may be expelled or suspended, and such exempt fireman shall have the permission to wear the same revoked.

Broken badges to be returned.

Penalty for violations of foregoing sections. § 9.§ Relating to violations of this ordinance, amends the 8th section of the ordinance of June 14th, 1855, by making the fines collected therefor payable to the Treasurer of the Fire Department Fund. *Vide* revision of ordinance of June 14th, 1855, p. 464.

Duties of Police at fires. § 10 and 11|| reiterate the duties of police officers at fires, as contained in sections 9th and 10th of the ordinance of June 14, 1855, for which *vide* pp. 464, 465.

° For section sixth of ordinance of June 27, 1859, *vide* p. 413.

† For section seventh of ordinance of June 27, 1859, *vide* p. 414.

‡ Ordinance of June 27, 1859, p. 414.

§ For section ninth of ordinance of June 27, 1859, *vide* p. 414.

|| For sections tenth and eleventh of ordinance of June 27, 1859, *vide* pp. 414 and 415.

§ 12.* All ordinances and parts of ordinances now existing, so far as the same are inconsistent with any or all of the provisions of this ordinance, are hereby repealed.

§ 13. This ordinance shall take effect immediately.

Election of Assistant Engineers on March 3d, 1859.

For the First District—G. Joseph Ruch.

For the Second District—John Brice.

At Large—Daniel Donovan, John Decker, William Hackett, Peter N. Cornwell, Edward W. Jacobs, Elisha Kingsland, John A. Cregier, Stephen Mitchell, Timothy L. West, and John Baulch.

Approved by the Mayor, July 12th, 1859.

On the 22d of December, 1859, John A. McCosker was elected as Assistant Engineer, to fill a vacancy in the Harlem District.

Approved by the Mayor, December 31st, 1859.

* Ordinance of June 27, 1859.

APPENDIX
TO
Laws Relative to the Fire Department
OF THE
CITY OF NEW YORK.

THE NEW YORK FIRE DEPARTMENT.

THE NEW YORK FIRE DEPARTMENT consists of four thousand two hundred and sixty-two men, as per Firemen's Register, at Chief Engineer's Office, on January 1st, 1860, comprising Fourteen Engineers, forty-eight Engine Companies, sixteen Hook and Ladder Companies, fifty-eight Hose Companies, and three Hydrant Companies.

A detailed list of the Names, Numbers and Locations of Apparatus ; the Districts the Companies perform duty in ; the names of officers connected with Active Firemen, and with the Fire Department Widow and Orphan's Fund, the Board of Fire Commissioners, Trustees, &c., will be found following.

BOARD OF ENGINEERS.

Chief Engineer.

HENRY H. HOWARD.

Clerks to the Chief Engineer.

CHARLES A. GRAY, GEORGE T. ALKER.

Senior Assistant Engineer.

JOHN A. CREGIER, PERFORMS DUTY IN THE 3d, 4th, 7th, and 8th Districts.

Assistant Engineers.

NAME	PERFORMS DUTY IN THE	DISTRICTS.
JOHN BAULCH,	7th and 8th	Districts.
PETER N. CORNWELL,	5th, 6th, 7th, and 8th	"
JOHN DECKER,	7th and 8th	"
ELISHA KINGSLAND,	1st, 4th, 5th, and 6th	"
TIMOTHY L. WEST,	2d, 3d, and 4th	"
EDWARD W. JACOBS,	5th, 6th, and 7th	"
G. JOSEPH RUCH,	1st, 2d, and 5th	"
JOHN BRICE,	1st and 2d	"
DANIEL DONNOVAN,	7th and 8th	"
WILLIAM HACKETT,	7th and 8th	"
STEPHEN MITCHELL,	2d and 3d	"
JOHN A. McCOSKER,	Harlem	"

NAMES OF OFFICERS OF THE FIRE DEPARTMENT FUND.

WILLIAM A. WOODHULL, PRESIDENT.

WILLIAM H. WICKHAM, VICE-PRESIDENT.

CHARLES L. CURTIS, SECRETARY. JOHN S. GILES, TREASURER.

DAVID THEALL, COLLECTOR.

TRUSTEES.

HENRY A. BURR, PRESIDENT;
GEORGE F. NESBITT, SECRETARY.

Committee on Donations.

JONAS N. PHILLIPS,	SAMUEL B. THOMSON,
JAMES Y. WATKINS,	WILLIAM WILLIAMS,
ZOPHAR MILLS,	A. F. OCKERSHAUSEN,
ROBERT MCGINNIS.	

Committee on Schools.

JAMES Y. WATKINS,	WILLIAM WILLIAMS,
ROBERT MCGINNIS.	

Committee on Fines and Penalties.

JONAS N. PHILLIPS,	SAMUEL B. THOMSON,
A. F. OCKERSHAUSEN.	

Committee on Finance.

ZOPHAR MILLS,	A. F. OCKERSHAUSEN,
HENRY A. BURR.	

Committee on Fuel.

SAMUEL B. THOMSON,	WILLIAM WILLIAMS,
ROBERT MCGINNIS.	

Special Committee to Solicit Donations.

ZOPHAR MILLS,	JAMES Y. WATKINS,
SAMUEL B. THOMSON.	

NAMES OF THE FIRE WARDENS.

M. EICHELL, PRESIDENT,
JOHN J. TINDALE, SECRETARY.

WM. H. McDONOUGH, JAS. M. MACGREGGOR, STEPHEN HALLICK,
LOUIS C. MEEKS, GEORGE C. BROWN, JOHN S. CLAYTON,
JOHN DOWNEY, JOHN CLEMENTS, ENOCH SMITH,
SAMUEL CHESHIRE.

BOARD OF FIRE COMMISSIONERS.

HENRY WILSON, PRESIDENT;
CHARLES P. KNAPP, AND R. P. H. ABEL, CLERKS.
ERASTUS W. BROWN, JOHN J. GORMAN,
THOMAS LAWRENCE, WILLIAM M. TWEED.

THE NUMBER OF COMPANIES DOING DUTY IN EACH DISTRICT IS AS FOLLOWS, viz.:

FIRST DISTRICT.—Twelve Engines, twelve Hose Carriages, and three Hook and Ladder Trucks.

SECOND DISTRICT.—Twelve Engines, eleven Hose Carriages, and three Hook and Ladder Trucks.

THIRD DISTRICT.—Eight Engines, nine Hose Carriages, and three Hook and Ladder Trucks.

FOURTH DISTRICT.—Six Engines, ten Hose Carriages, and three Hook and Ladder Trucks.

FIFTH DISTRICT.—Eleven Engines, Eleven Hose Carriages, and four Hook and Ladder Trucks.

SIXTH DISTRICT.—Four Engines, twelve Hose Carriages, and three Hook and Ladder Trucks.

SEVENTH DISTRICT.—Fourteen Engines, twenty-two Hose Carriages, and five Hook and Ladder Trucks.

EIGHTH DISTRICT.—Seventeen Engines, twenty-one Hose Carriages, and four Hook and Ladder Trucks.

ENGINE COMPANIES.

NAME OF COMPANY.	No. of Comp'y.	Location of Apparatus.	Districts they perform Duty in.	Names of Officers.	Rank.
HUDSON, . . .	1	188 West 47th st., bet. 8th & 9th av's.	1st and 2d Districts.	John Hamill,	Foreman
EXCELSIOR, . .	2	21 Henry street.	7th and 8th Districts.	Edward J. Knight,	Foreman
* * * * *	3	* * * * *	* * * * *	* * * * *	* *
NIAGARA, . . .	4	220 Mercer street.	4th and 5th Districts.	Thomas Leavy,	Foreman
PROTECTION, . .	5	61 Ann street.	7th and 8th Districts.	James F. Horan,	Foreman
AMERICUS, . . .	6	266 Henry street.	7th and 8th Districts.	Wm. B. Dunley,	Foreman
LEXINGTON, . .	7	109 East 25th street.	1st and 5th Districts.	John R. Barnes,	Foreman
MANHATTAN, . .	8	91 Ludlow street.	7th and 8th Districts.	Robert C. Brown,	Foreman
MARION, . . .	9	47 Marion street.	4th and 5th Districts.	James Hays,	Foreman
WATER WITCH, .	10	82d st., cor. 4th av.	1st and 2d Districts.	George J. Gregory,	Foreman
OCEANUS, . . .	11	99 Wooster street.	3d and 8th Districts.	John Wildey,	Foreman
KNICKERBOCKER,	12	112 East 83d street.	1st and 2d Districts.	Thomas J. Coutant,	Foreman
EAGLE,	13	5 Duane street.	7th and 8th Districts.	Timothy Sullivan,	Foreman
COLUMBIAN, . . .	14	9 Church street.	7th and 8th Districts.	Robert Rogers,	Foreman
CHATHAM, . . .	15	284 West 36th st.	1st and 2d Districts.	William Starritt,	Foreman
MOHAWK,	16	126 West B'way.	3d and 8th Districts.	Thomas Roe,	Foreman
EAST RIVER, . .	17	7 Goerck street.	5th and 6th Districts.	Alfred A. Donald,	Foreman
UNION,	18	78 West 40th street.	1st and 2d Districts.	James Connolly,	Foreman
LAFAYETTE, . .	19	199 Chrystie street.	5th and 6th Districts.	Wm. H. Charlock,	Foreman
WASHINGTON, .	20	3 Temple street.	7th and 8th Districts.	Andrew Seely,	Foreman
FULTON,	21	86 Worth street.	7th and 8th Districts.	James McCullough,	Foreman
PROTECTOR, . .	22	Cor. Chambers and Centre streets.	7th and 8th Districts.	Caleb Sears,	Foreman
UNITED STATES, .	23	58 Twelfth street.	4th and 5th Districts.	Thomas Daly,	Foreman

ENGINE COMPANIES—CONTINUED.

NAME OF COMPANY.	No. of Comp'y.	Location of Apparatus.	Districts they perform Duty in.	Names of Officers.	Rank.
JACKSON, . . .	24	17th st., near 9th avenue.	3d and 4th Districts.	George Henderson,	Foreman
CATARACT, . . .	25	1006 Broadway.	2d and 3d Districts.	Hugh Powers,	Foreman
JEFFERSON, . . .	26	88 Fifth street.	5th and 6th Districts.	John Ford,	Foreman
FORT WASHINGTON,	27	Carmansville.	Carmansville and vicinity.	R. E. Fay,	Foreman
PACIFIC, . . .	28	377 Fourth avenue.	1st and 5th Districts.	John W. Pettigrew,	Foreman
GUARDIAN, . . .	29	14 West 10th street.	3d and 4th Districts.	Eli Bates,	Foreman
NORTH RIVER, . .	30	153 Franklin street.	7th and 8th Districts.	B. F. Grant,	Foreman
PETERSON, . . .	31	49 Chrystie street.	7th and 8th Districts.	John McCauley,	Foreman
PETE MASTERSON,	32	Bloom'gdale.	Bloom'gdale and vicinity.	John Quinn,	Foreman
BLACK JOKE, . . .	33	58th street, near Broadway.	1st and 2d Districts.	Peter Masterson,	Foreman
HOWARD, . . .	34	131½ Christopher st.	3d and 4th Districts.	Jonas L. Coe,	Foreman
COLUMBUS, . . .	35	3d avenue, near 121st street.	Harlem and vicinity.	John Hart,	Foreman
EQUITABLE, . . .	36	68th street, near Broadway.	1st and 2d Districts.	A. C. Lealie,	Foreman
TRADESMAN, . . .	37	9th street, between 2d and 3d ave's.	1st and 2d Districts.	James Aberne,	Foreman
SOUTHWARK, . . .	38	28 Ann street.	7th and 8th Districts.	George T. Alker,	Foreman
FRANKLIN, . . .	39	128 West 31st street.	1st and 2d Districts.	Bernard M. Sweeny,	Foreman
LADY WASHINGTON,	40	173 Elm street.	7th and 8th Districts.	James Canfield,	Foreman
CLINTON, . . .	41	Cor. Delancey and Attorney streets.	5th and 8th Districts.	Thomas Cheevers,	Foreman
EMPIRE, . . .	42	Centre, near Cham- bers street.	7th and 8th Districts.	R. P. Moore,	Foreman
MANHATTA, . . .	43	Manhattanville.	Manhattan- ville and vicinity.	James E. Poole,	Foreman
LIVE OAK, . . .	44	92 Houston street.	5th and 6th Districts.	James L. Hawkins,	Foreman
AURORA, . . .	45	Third avenue and 85th street.	Yorkville and vicinity.	Francis Bazzoni,	Foreman
* * * * *	46	* * * * *	* * *	* * * * *	* *

ENGINE COMPANIES—CONTINUED.					
NAME OF COMPANY.	No. of Comp'y.	Location of Apparatus.	Districts they perform Duty in.	Names of Officers.	Rank.
* * * * *	47	* * * * *	* * *	* * * * *	* *
MAZEPPA, . . .	48	163 West 24th st.	2d and 3d Districts.	Charles Cowen,	Foreman
POCAHONTAS, . .	49	Harlem.	Harlem and vicinity.	Elijah W. Gardiner,	Foreman
LONE STAR, . .	50	165 West 20th st.	2d and 3d Districts.	J. M. Harned,	Foreman
MUTUAL, . . .	51	East 22d street, near Second avenue.	1st and 5th Districts.	George McGrath,	Foreman

EXEMPT ENGINE COMPANY,

LOCATION, CENTRE, NEAR CHAMBERS STREET.

ZOPHAR MILLS, FOREMAN.

JOHN W. GARSIDE, 1ST ASSISTANT FOREMAN.

JAMES MILLWARD, JR., 2D ASSISTANT FOREMAN.

CHARLES E. GILDERSLEEVE, 3D ASSISTANT FOREMAN.

JAMES Y. WATKINS, SECRETARY.

THOMAS L. TALMAN, ASSISTANT SECRETARY.

JAMES CHOLWELL, TREASURER.

◦ Engine Companies Nos. 8, 46, and 47 have been disbanded.

HOSE COMPANIES.

NAME OF COMPANY.	No. of Comp'y.	Location of Apparatus.	Districts they perform Duty in.	Names of Officers.	Rank.
EAGLE,	1	Madison, near Pike street.	7th and 8th Districts.	Lewis Hopps,	Foreman
NIAGARA, . . .	2	5 Duane street.	7th and 8th Districts.	Wm. Dougherty,	Foreman
INDEPENDENCE, .	3	211 Hester street.	7th and 8th Districts.	John V. Dalton,	Foreman
MARION, . . .	4	84 Attorney street.	5th and 6th Districts.	Theodore Hillyer,	Foreman
NEW YORK, . .	5	Firemen's Hall, 127 Mercer street.	4th and 8th Districts.	Fr. W. Raymond,	Foreman
CROTON, . . .	6	23 Gouverneur st.	6th and 7th Districts.	Geo. R. Conner,	Foreman
RINGGOLD, . .	7	74 East 13th street.	1st and 5th Districts.	Joseph H. Wells,	Foreman
CITY,	8	39 Liberty street.	7th and 8th Districts.	Scott Bayles,	Foreman
COLUMBIAN, . .	9	174 Mulberry street	6th and 8th Districts.	John L. Herbell,	Foreman
LIBERTY, . . .	10	3 Dover street.	7th and 8th Districts.	John McCarty,	Foreman
GULICK, . . .	11	14 West 10th street.	8d and 4th Districts.	D. G. Robinson,	Foreman
MINUTE, . . .	12	380 West 43d street.	1st and 2d Districts.	Samuel Woolley,	Foreman
JACKSON, . . .	13	34 Mangin street.	5th and 6th Districts.	Jacob H. Akerly,	Foreman
EXCELSIOR, . .	14	160 West 13th st.	3d and 4th Districts.	A. M. Eagleson,	Foreman
ATLANTIC, . . .	15	19 Elizabeth street.	5th and 7th Districts.	James R. Mount,	Foreman
TOMPKINS, . . .	16	154 Norfolk street.	5th and 6th Districts.	James Whelan,	Foreman
CLINTON, . . .	17	Corner 5th street and 1st avenue.	5th and 6th Districts.	Michael Dalton.	Foreman
FRANKLIN, . .	18	28 Beaver street.	7th and 8th Districts.	John O'Neill,	Foreman
AMERICAN, . .	19	52 Greene street.	4th and 8th Districts.	Henry A. Thomas,	Foreman
HUMANE, . . .	20	28 Ann street.	7th and 8th Districts.	Jared A. Timpson,	Foreman
HUDSON, . . .	21	304 Washington st.	7th and 8th Districts.	William Callen,	Foreman
PHENIX, . . .	22	101 Hester street	6th and 7th Districts.	W.R.W. Chambers	Foreman
PERRY,	23	48 Horatio street.	3d and 4th Districts.	Alex. V. Davidson,	Foreman

HOSE COMPANIES—CONTINUED.

NAME OF COMPANY.	No. of Comp'y.	Location of Apparatus.	Districts they perform Duty in.	Names of Officers.	Rank.
NATIONAL, . . .	24	253 Spring street.	3d and 4th Districts.	Rich. L. Simonson,	Foreman
UNITED STATES, .	25	86 Worth street.	7th and 8th Districts.	D. S. Parkes,	Foreman
RUTGERS, . . .	26	6 Norfolk street.	6th and 7th Districts.	John S. Belch,	Foreman
NEPTUNE, . . .	27	106 Reade street.	7th and 8th Districts.	John H. Corbals,	Foreman
PEARL,	28	24 Chambers street.	7th and 8th Districts.	Emile Malherbe,	Foreman
METAMORA, . .	29	145 Fifth avenue.	4th and 5th Districts.	Henry N. Squire,	Foreman
LAUREL, . . .	30	27th street, near 9th avenue.	1st and 2d Districts.	James H. Arnold,	Foreman
PUTNAM, . . .	31	7 Jackson street.	5th and 6th Districts.	Lorenzo Caddy,	Foreman
INDEX,	32	48th street, near 8th avenue.	1st and 2d Districts.	Lawrence Martin,	Foreman
WARREN, . . .	33	118 Sullivan street.	3d and 8th Districts.	Anthony Yeoman,	Foreman
LAFAYETTE, . .	34	211 East 11th street.	5th and 6th Districts.	John Irwin,	Foreman
* * * * *	35	* * * * *	* * *	* * * * *	* * *
OCEANA, . . .	36	205 Madison street.	6th and 7th Districts.	John Buck,	Foreman
MADISON, . . .	37	1006 Broadway.	1st and 2d Districts.	P. J. McGunnigle,	Foreman
AMITY,	38	132 Amity street.	3d and 4th Districts.	Chas. E. Fleming,	Foreman
METROPOLITAN, .	39	343 Third avenue.	1st and 5th Districts.	Bernard Gormley,	Foreman
EMPIRE, . . .	40	70 Barrow street.	3d and 4th Districts.	William Evans,	Foreman
ALERT,	41	67 Watts street.	7th and 8th Districts.	Samuel W. Webb,	Foreman
MAZEPPA, . . .	42	236 West 33d street.	1st and 2d Districts.	John Coyle,	Foreman
PIONEER, . . .	43	Third avenue, near 121st street.	Harlem and vicinity.	J. R. Farrington,	Foreman
WASHINGTON IRVING	44	128 West 31st street	1st and 2d Districts.	Edward J. Ryder,	Foreman
* * * * *	45	* * * * *	* * *	* * * * *	* * *
VALLEY FORGE, .	46	138 West 37th st.	1st and 2d Districts.	James T. Wilson,	Foreman

HOSE COMPANIES—CONTINUED.

NAME OF COMPANY.	No. of Comp'y.	Location of Apparatus.	Districts they perform Duty in.	Names of Officers.	Rank.
MECHANICS, . . .	47	707 Fourth street.	5th and 6th Districts.	John J. Whyte,	Foreman
AMERICUS,. . .	48	85th street, near 3d avenue.	Yorkville and vicinity.	James R. Dalton,	Foreman
LADY WASHINGTON,	49	126 Cedar street.	7th and 8th Districts.	Jacob L. Smith,	Foreman
HOPE,	50	10½ Mott street.	7th and 8th Districts.	Michael Brophy,	Foreman
RELIEF,.	51	Cor. 50th street and Lexington avenue.	1st and 2d Districts.	John Bourke,	Foreman
UNDINE,	52	122d street, near 3d avenue.	Harlem and vicinity.	Geo. H. E. Lynch,	Foreman
NAIAD,	53	113 East 40th street, near 3d avenue.	1st and 2d Districts.	John P. Flender,	Foreman
HARRY HOWARD,	55	115 Christopher st.	3d and 4th Districts.	Andrew Bell,	Foreman
NASSAU,	56	8 Theatre alley.	7th and 8th Districts.	James Corrison,	Foreman
PAULDING,.	57	162 West 18th st.	2d and 3d Districts.	Samuel Moore,	Foreman
MERCHANTS, . . .	58	18 Burling slip.	7th and 8th Districts.	Michael Murray,	Foreman
ION,	59	Manhattanville, in Laurens street.	Manhat'ville, and vicinity.	John Moore,	Foreman
M. T. BRENNAN,	60	12 Elm street.	7th and 8th Districts.	Laurence Clancy,	Foreman
ZEPHYR,	61	379 Fourth avenue.	1st and 2d Districts.	J. H. Whitney.	Foreman

* Hose Companies Nos. 35 and 45 have been disbanded.

HOOK AND LADDER COMPANIES.

NAME OF COMPANY.	No. of Comp'y.	Location of Apparatus.	Districts they perform Duty in.	Names of Officers.	Rank.
MUTUAL, . . .	1	Centre and Chambers street.	7th and 8th Districts.	G. A. Hilton,	Foreman
CHELSEA, . . .	2	163 West 24th st.	2d and 3d Districts.	James Walton,	Foreman
PHOENIX, . . .	3	133 Amity street.	3d and 4th Districts.	Abraham Cooper,	Foreman
EAGLE, . . .	4	20½ Eldridge st.	7th and 8th Districts.	T. W. Wilding,	Foreman
UNION, . . .	5	152 Norfolk street.	5th and 6th Districts.	George Kelly,	Foreman
LAFAYETTE, . .	6	Firemen's Hall, 129 Mercer street.	3d and 4th Districts.	James K. Kellock,	Foreman
MECHANICS, . .	7	126th st., between 3d and 4th ave's.	Harlem and vicinity.	Frederick P. Goff,	Foreman
EMPIRE, . . .	8	Cor. 8th avenue and 48th street.	1st and 2d Districts.	John C. Ellrodt,	Foreman
WASHINGTON, .	9	132 East 26th st.	1st and 5th Districts.	John H. Forman,	Foreman
C. V. ANDERSON,	10	3d avenue and 85th street.	Yorkville and vicinity.	Wm. H. Johnson,	Foreman
HARRY HOWARD,	11	295 E. Broadway.	6th and 7th Districts.	Charles L. Kent,	Foreman
FRIENDSHIP, . .	12	78 E. 13th street.	4th and 5th Districts.	Andrew J. Garvey,	Foreman
MARION, . . .	13	323 Third street.	5th and 6th Districts.	John Angus,	Foreman
COLUMBIAN, . .	14	96 Charles street.	7th and 8th Districts.	Robert Wright,	Foreman
BAXTER, . . .	15	153 Franklin st.	7th and 8th Districts.	John Andrews,	Foreman
MANHATTAN, . .	16	Lexington avenue and 50th street.	1st and 2d Districts.	Robert Gamble,	Foreman

ELECTION OF CHIEF ENGINEER OF FIRE DEPARTMENT.

The election for Chief Engineer of the Fire Department held on the first Tuesday in February (February 7th), 1860, resulted in the election of Mr. John A. Decker, by the following vote :

Whole number of votes cast were.....	3,907
Of which John Decker received.....	2,101
Of which John A. Cregier received.....	1,461
Of which Alfred Carson received.....	334
Of which blank and scattering received ...	11
Total.....	3,907

Confirmed by the Board of Aldermen, February 13, 1860.

Confirmed by the Board of Councilmen, February 13, 1860.

Approved by the Mayor, February 16, 1860.

CHAPTER 45.

AN ACT *to amend an act entitled "An act for the better regulation of the Firemen in the City of New York."*

Passed March 1st, 1860—three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

SECTION 1. The eighth section of an act entitled "An act for the better regulation of the firemen in the city of New York," passed March twenty-ninth, eighteen hundred and fifty-five, is hereby amended so as to read as follows :

The said commissioners shall nominate, and the common council shall appoint, two clerks, at a salary not exceeding eight hundred dollars a year each, and the commissioners and clerks shall take an oath to well and faithfully perform the duties of their office.

§ 2. This act shall take effect immediately.

UNSAFE BUILDING ACT.

Chapter 470.

AN ACT to provide against unsafe buildings in the City of New York.

Passed April 17th, 1860—three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

SECTION 1. All buildings hereafter to be erected or built in the city of New York, to the southward of a Fire limits. line drawn one hundred feet north of Fifty-second street, in said city, and extending from the East to the Hudson river, shall have front and rear walls and side-walls on both sides, whether such side walls be outside or party walls. And all outside or party walls of every such dwelling-house, store, store-house, or other building, shall be constructed of stone, brick, or iron, and all walls shall be built to a line, and shall be carried up plumb and straight, and shall be built with close joints. Materials to be used in walls. No swelled brick, or refuse brick shall be allowed in any wall; and all walls shall be started and built upon foundations of stone, brick, or concrete; Foundations. and in all cases where the ground is either swampy, marshy, or made ground, before the foundations are put down, there shall be either piles driven or good foundation timbers, of sufficient size and thickness, to prevent the building from settling; and the top of the piles

or timbers, in all cases, shall be laid below the water-line. The sections and provisions of this act shall be applicable to every stone, brick, or iron dwelling-house, store, store-house, or other building, hereafter to be erected or built in any part of the city and county of New York.

Party and division walls.

§ 2. Every party or division wall running from front to rear in any dwelling-house, store, store-house, or other building, shall be started and built upon foundations of stone, brick, or concrete, in the same manner as mentioned in the first section of this act, and shall not be built upon any iron beam or other girder, and shall be carried up above the roof and coped; and every post or pillar which shall support any other post or pillar, or any beam or girder which shall rest upon a wall of stone or brick, as above set forth, or upon a proper and sufficient post or pillar of cast or wrought iron, oak, locust, or yellow pine, or cast iron, or cast iron columns, with outside drums of wrought iron or fire-proof metal, and a space between the same, filled up with plaster of paris, or cast iron columns with a lathing of fire-proof metal plastered on the outside. The column of cast iron to be in all cases sufficient to bear six times the superimposed weight, and every such wall, which shall form the support of any post or pillar, shall be started and built upon a foundation of stone, concrete, or brick, and the post or pillar which shall be lowest in the series shall rest upon a foundation of concrete, stone, or brick, of sufficient size to sustain the weight imposed upon it. Nothing in this section shall be construed to prohibit the use of iron beams under partition walls not over fifteen feet in height.

Posts and pillars.

Iron beams.

Isolated piers, &c.

§ 3. In every such dwelling-house, store, store-house, or other building, every isolated pier, column, post, or pillar,

and all piers supporting a wall built of rubble stone, or brick, under any iron beam or arch girder, or arch on which a wall rests, or lintel supporting a wall, shall, at intervals of not more than two feet six inches in height, have built into it a bond stone, not less than four inches thick, of a diameter each way equal to the diameter of the pier, column, post, or pillar, between openings or otherwise; and shall be started and built upon foundations of stone, or concrete, and shall be built of good hard brick and cement, and all the bricks in such piers shall be of the hardest quality, and well wet before laid. No piers need be laid under wooden partitions under thirty feet in length, provided the partitions be properly trussed.

§ 4. Every temporary support placed under any wall, girder, or beam, during the erection, finishing, alteration, or repairing of any building, shall be equal in strength to the permanent support required for such wall, girder, or beam by this act. And the walls of every building shall be strongly braced from the beams of each story until the next tier of beams are on and leveled up.

§ 5. Where Mansard or French roofs are carried up and built over a hotel or block of houses, the partition and division walls may be carried up to the under side of the roofing, and coped with some fire-proof material under the same; but the roof-planking must, in such cases, be a half inch below the line of the said coping, and battened with one and a half by one inch strips, which shall be filled in between with good mortar, and the slating or other roof material may then be carried over the same.

§ 6. In all buildings, the foundation wall, if not over sixteen feet below the curb level, shall be increased four

Temporary supports.

Mansard or French roofs.

Foundation walls to be increased in thickness.

inches in thickness beyond the thickness of the wall above them, and if more than sixteen feet below the curb level, shall be increased four inches in thickness for every additional five feet in depth below the said sixteen feet.

Footing or
base courses.

§ 7. The footing or base courses under all foundation walls shall be at least twelve inches wider than the bottom width of the said foundation walls, as fixed by the above clause. And if the walls be built of isolated piers, then there must be inverted arches at least twelve inches thick, turned under and between the piers, or two footing courses of large stone, at least ten inches thick in each course.

Strength of
floors.

§ 8. In every building the floors shall be of sufficient strength to bear the weight to be imposed upon them, exclusive in allowance of the weight of the material used in their construction; and if, at any time, the said building shall be loaded over the said weight, it shall be at the risk of the occupant, whether the same be the owner or not.

Thickness of
walls of
dwelling
houses.

§ 9. In all dwelling-houses not more than thirty feet in height in any part thereof above the curb level, and not over twenty-five feet in width, the walls may be eight inches thick, provided the chimneys are started and built from the foundations, and provided the timbers are well separated from each other by solid mason work. In all dwelling-houses not more than thirty-eight feet in height in any part thereof above the curb level, and not more than twenty-eight feet in width, the outside walls may be eight inches thick, but the party walls shall not be less than twelve inches thick. In all dwelling-houses not more than fifty-five feet in height in any part thereof above

the curb level, and not over thirty feet in width, the walls shall be twelve inches in thickness; and if over that height, the walls shall be sixteen inches in thickness to the top of the second story beams, provided the same is twenty feet above the curb level, and if not, to the under side of the third story beams.

In all buildings not over twenty-five feet in width, and fifty feet in height from the curb level, the outer walls, if of brick, shall average twelve inches thick, and if of stone, shall average twenty-two inches in thickness. If over fifty and under eighty feet in height, the walls shall average, if of brick, sixteen inches, and if of stone, twenty-four inches in thickness, to the top of the second story beams, provided the same be twenty feet above the curb level, and if not, then to the under side of the third story beams, and above that height shall be of the thickness above specified to the top. In all buildings from twenty-five to fifty feet in width, the outer walls, if less than fifty feet in height, if of brick, shall be built sixteen inches in thickness, and if of stone, twenty-four inches in thickness; and if over fifty feet and under eighty feet in height, the walls shall average, if of brick or stone, twenty inches in thickness to the above-mentioned heights, and from thence to the top shall be of the thickness above specified. If the above walls are used as party walls in a building over thirty-five feet in width, they must be built four inches thicker in all cases.

§ 10. In all buildings from fifty-one to seventy-six feet ^{and} in width, and over fifty feet in height, the outer walls shall average, if of brick or stone, twenty-four inches in thickness; and if over fifty feet, and under eighty in height, the walls shall average, if either of brick or stone, thirty-

*Ditto of
buildings of
extra dimen-
sions.*

two inches to the above-mentioned heights, and twenty-four inches from thence to the top, and shall be eight inches wider if the walls are used for party walls, in all cases.

Ibid.

§ 11. In all buildings from seventy-six to one hundred feet in width, and not over fifty feet in height, the outer walls, if of brick or stone, shall average thirty-two inches in width; and if over fifty feet, and under eighty feet in height, the walls shall average forty inches in thickness, to the above height, and thirty-two inches from thence to the top.

Application of preceding three sections.

§ 12. The above sections, numbers nine, ten, and eleven, apply to buildings, except private dwellings, in which there are no partition walls, girders, or columns.

When partition walls or girders are supported by columns.

§ 13. All buildings having partition walls, or girders supported by columns running in the same direction with the exterior walls, shall have the exterior and subdivision walls of the same dimensions as specified in section nine, for buildings of twenty-five feet in width, or columns and girders of the same dimensions as specified for independent constructions of the same width, as set forth in sections numbers nine, ten, eleven, and sixteen.

Walls to be corbeled out.

§ 14. In all stores and store-houses, or other buildings other than a dwelling, the walls shall be corbeled out six continuous courses of brick, projecting a half inch in each course below each tier of beams; and in all stores or store-houses, the flues shall have at least eight inches of brick masonry around them on all sides of the stacks.

Flues in stores or storehouses.

Headers in stone walls.

§ 15. All stone walls less than twenty-four inches thick shall have at least one header, extending through the walls, in every six square feet; and if over twenty-four inches

in thickness, shall have one header for every six superficial feet, on both sides of the wall, and running into the wall at least two feet.

§ 16. In all buildings in which there are partition walls, or girders and columns, the said partition walls shall be subject to the clauses and provisions above set forth, with regard to foundation, thickness, and height; and if there are columns and girders substituted, in place of the partition walls, they shall be made of sufficient strength to bear the weight of two hundred and fifty pounds for every square foot of the floor or floors that rest upon them, exclusive of the weight of the material employed in their construction, and shall have footing courses and foundation wall equal to that of the party wall, with inverted arches under and between the columns, or two footing courses of large, well-shaped stones, laid crosswise, edge to edge, and at least ten inches thick in each course, the lower footing course to be equal in area to that under a party wall; and under every column a cap of cut granite, at least twelve inches thick, and of a diameter twelve inches greater than that of the column, must be laid, such partitions as are comprehended under the following clauses excepted.

Provisions
relative
to
partition
walls, or
girders and
columns.

§ 17. In all dwelling-houses, partition walls may be built of brick, eight inches in thickness for a height of thirty-eight feet above the curb level, and if over that height and under seventy feet in height, they must be built twelve inches in thickness to the height of the second story. If, however, the second story beams are not over twenty feet above the curb level, then the walls must be built twelve inches thick to the under side of the third story beams, and eight inches thick from thence to the top. Partitions not more than fifteen feet in height may be built of brick, four

Partition
walls in
dwelling
houses.

inches in thickness, in any building, provided laths of strap iron be built and laid in every fifth course; provided always the said partitions are supported either by a stone or brick wall, or upon brick or stone arches, or a wrought iron beam of sufficient strength; and provided, if more than ten feet in length, a wrought iron stud be placed every ten feet of their length.

Partition
walls in
boarding
houses
and
hotels.

§ 18. Any building except a private dwelling, over thirty and under fifty feet in width, if built for the purpose of a boarding-house or hotel, shall have at least one brick or stone or fire-proof partition wall, running from front to rear; or if over fifty feet and under seventy-five feet in width, shall have two partition walls, as above; or if over seventy feet and under one hundred feet, shall have three partition walls, as above. The said partition walls, in all cases, to be built, from the foundation to the fire wall coping, in accordance with the provisions of this act. Nothing in this act shall be construed to prevent the building of partitions in stores which may have originally been built more than twenty-five feet wide, in which case, the said stores may be divided afterwards in any of the stories, where there are wrought-iron girders and iron columns, by fire-proof partitions of brick, or of studs filled in with plaster of paris and plastered, or of iron lath, plastered both sides; and where there are columns and wooden girders, the partitions may be built of iron lath plastered on both sides; provided, in both the above cases, the columns and girders, or girders alone where a building has been built without columns, are sufficient to bear the additional weight, and if not sufficient, then iron columns and iron girders must be put in of sufficient strength. Cross partitions may also be built,

Partition
walls in
stores.

in the above cases, of joist, lathed and plastered, and properly bridged, or of iron lath, plastered both sides, provided the beams are sufficient to support the same; and if the beams are not sufficient, then columns and girders must be put in to support the same.

§ 19. In every fifth course in every brick wall there shall be a heading course, except where walls are faced with brick, where every fifth course shall be bended into the backing by cutting the courses of the faced brick, and putting in diagonal headers behind the same, or by splitting face brick in half, and backing the same by a continuous row of headers. In all walls less than sixteen inches thick, which are faced with thin ashlar, anchored to the backing, or in which the ashlar has not either alternate headers and stretchers in each course, or alternate heading and stretching courses, the backing of brick shall be of the same thickness as if there were no stone facings. All heading courses shall be good, hard, perfect brick, not broken in any way.

Relative heading courses. to

§ 20. By the words average thickness, in the various clauses above, it is understood that the amount of materials specified may be used either in piers or buttresses, provided the wall between the same shall in no case be less than twelve inches in thickness, where they are not used for party walls, and sixteen inches in thickness where they are used for party walls.

Explanation of what is intended by "average thickness."

§ 21. Compound beams, with cast-iron arches and wrought-iron ties, may be used to span openings not more than thirty feet in width, provided the same are supported at the ends on piers of solid cut stone, or of brick, with bond stones every thirty inches in height from the foundation, whether the same piers are in the walls or not, or on a wrought or cast-iron column of sufficient strength; and

Compound beams.

also provided they rest upon a surface of at least two and two-thirds square feet at both ends (where the supports are not of iron or of cut stone at least twelve inches square), and also provided that, if resting on walls or piers, they shall have a cut granite block under each end, at least two and two-thirds feet square, and one foot thick.

Ibid.

§22. All compound beams shall have a cast-iron shoe on the upper side to answer for the skew back of a brick or cut stone arch, which said arch shall always be turned over the same, and the arch shall in no case be less than twelve inches in height, by the width of the wall to be supported, and the shoe shall be made strong enough to resist the pressure of the arch in all cases. Cut stone or hard brick arches, with two wrought-iron tie-rods of sufficient strength, may be turned over any openings less than forty feet, provided they have skew backs of cut stone, or cast or wrought iron, into which the bars or tension-rods shall be properly secured by heavy wrought-iron washers, necks and heads of wrought iron, properly secured to the skew backs. The above clause is intended to meet cases where the arch has not abutments of sufficient size to resist them.

Arches.

Wooden beams and timbers not to be placed within eight inches of any flue.

Construction of flues.

§23. In no such dwelling-house, store, store-house, or other building, whether the same be a frame building, or otherwise, shall any wooden beams or timbers be placed within eight inches of any flue, whether the same be a smoke or air-flue, or any other flue; and all flues in stone or brick walls, in any building, without reference to the purpose for which they may be used, shall be properly pargetted on the inside with good parging mortar, or the joints shall be struck smooth on the inside. And no tin, or other metal flue or flues, pipe or pipes, of a single thick-

ness of metal, to convey heated air in any such dwelling-^{Flues for heated air.} house, store, store-house, or other building, whether the same be a frame building, or otherwise, hereafter to be built, altered, or erected in any part of the said city, shall be allowed, unless the same be so constructed as to have a thickness of not less than one inch of plaster of paris between the said metal pipe, flue, or flues, and any of the timber or woodwork adjoining the same. No steam-pipe^{Steam pipes for heating.} shall be placed within two inches of any timber or woodwork, as aforesaid; where the said space of two inches around the steam-pipe is objectionable, it shall be protected by a soapstone or an earthen ring or tube. No base, or flooring, or roofing, or any other woodwork, shall be placed against any brick or other flue, until the same shall be well plastered with plaster of paris behind such woodwork. All flues in any such dwelling-house, store, store-house, or other building, shall be properly cleaned, and all rubbish removed, and the flues left smooth on the inside upon the completion of all such buildings, as aforesaid. No chimney shall be started or built upon any floor or^{Chimneys.} beam, and in no case where the breast of a chimney shall project more than four inches in any eight-inch wall, or eight inches in a twelve-inch wall, shall it be commenced in any wall, but shall be started and built on the same line from the foundation; and if supported by piers, the said piers shall start from the foundation, and on the same line with the chimney breast, and shall not be less than sixteen inches on the face; and all such piers shall be well built into the wall. All hearths shall be supported by arches of^{Hearths.} stone or brick; and no chimneys, projecting over the distance above specified, shall be cut off, in whole or in part, to be supported below in any manner whatever; and all

chimneys in any building or buildings, as aforesaid, already erected, or hereafter to be erected or built, or any other chimney or chimneys, in any part of the said city, which shall be dangerous in any manner whatsoever, shall be repaired or taken down. In all chimneys which are corbeled out from the walls, as above described, they shall be supported by five courses of brick. Unless the plaster of paris is put on as above set forth, the pipes in all cases must be double—that is, two pipes, one inside of the other, at least one inch apart, and filled with plaster of paris. Fire-brick pipes, for conveying hot air, may also be put in wooden partitions, provided they have a spigot-and-faucet joint filled with plaster.

Pipes for
heating.

Mortar.

§ 24. The mortar used in the construction of any building shall be composed of lime or cement, mixed with sand in proper proportions. No inferior lime or cement shall be used; and all sand shall be clear, sharp grit, free from loam, and all joints in all walls must be filled with mortar.

Fire-proof
stairs and
balconies.

§ 25. In all dwelling-houses which are built for the residence of more than eight families, there shall be a fire-proof stairs, in a brick or stone or fire-proof building, attached to the exterior walls, and all the rooms on every story must communicate by doors; or if the fire-proof stairs are not built as above, then there must be fire proof balconies on each story on the outside of the building, connected by fire proof stairs, and all the rooms on every story must communicate by doors. If the buildings are not built with either the stairs or balconies as above specified, then they must be built fire-proof throughout. All ladders or stairs from upper stories to scuttle or roofs of any building shall, if movable, be of iron, and if not movable, may be of

Ladders
scuttles.

wood; and all scuttles shall be not less than three feet by two feet.

§ 26. In all buildings where the walls are built hollow, Hollow walls the same amount of stone or brick shall be used in their construction as if they were solid, as above set forth; and no hollow walls shall be built unless the two walls forming the same shall be connected by continuous vertical ties of the same materials as the walls, and not over twenty-four inches apart.

§ 27. All exterior cornices of all buildings, hereafter to Cornices. be erected or built, shall be either of metal, brick, stone, or terra cotta, or artificial stone, or some other fire-proof material, and all exterior wooden cornices or gutters that may be unsafe or rotten shall be taken down and replaced by the above material, except as hereafter provided. In every case the greatest weight of stone, iron or other material of which the cornice shall be constructed, shall be on the inside of the outer line of the wall, on which the cornice shall rest, in the proportion of three of wall to two of cornice in weight; allowance being made for the excess of leverage produced by the projection of the cornice beyond the face of the wall.

Nothing in this section shall be construed to prohibit wooden cornices on buildings or dwelling-houses not over thirty-eight feet in height, or on buildings as mentioned in the thirty-eighth and thirty-ninth sections of this act, provided that the said cornices, whether used for a gutter or not, shall have the brackets well built into the walls, and well fastened to wall strips built into the wall for that purpose; and in all cases the walls shall be carried up to the planking of the roof, and when the cornice projects above

the roof, the walls shall be carried up to the top of the cornices ; and no wooden cornice shall extend across two or more buildings, but the same shall return against the building on which it is placed, and the party walls shall in all cases extend up above the planking of the cornice, and coped.

Anchors in
walls.

§ 28. The walls of every such dwelling, store, store-house, or other building, shall be securely anchored with iron anchors to each tier of beams. The front, rear, side, end, and party walls shall, if not carried up together, be anchored to each other, every six feet in their height, by tie anchors, made of one and a quarter inches by three-eighths of an inch wrought iron. The said anchors shall be built into the front and rear walls, at least one-half the thickness of the front and rear walls, so as to secure the front and rear walls to the side, end, or party walls ; and all stone used for the facing of any building, except where built with alternate headers and stretchers, as hereinbefore set forth, shall be strongly anchored with iron anchors ; and all such anchors shall be let into the stone at least one inch. The side, end, or party walls shall be anchored to each tier of beams, at intervals of not more than eight feet apart, with good, strong wrought-iron anchors, three-eighths of an inch by one inch, well built into the side walls, and well fastened to the side of the beams ; and where the beams are supported by girders, the ends of the beams resting on the girder shall be strapped by wrought iron straps of the same size, and at the same distance apart, and in the same beam as the wall anchors ; all wall anchors used in any building, except dwellings, shall be three-eighths by one inch wrought iron, and shall hook over a three-quarter round bolt of wrought iron running

§ 29. All gas, water, steam, or other pipes which may be introduced into any building other than a dwelling-house, shall not be let into the beams unless the same be placed within thirty-six inches of the end of the beams; and in no case shall be let into the beams more than two inches in depth.

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hot air chamber. If, however, there is not height enough to built the furnace top at least four inches below the floor beams or ceiling, then the floor beams must be trimmed around the furnace, and said covering and the trimmers and headers must be at least four inches from the same. The top of portable furnace or furnaces, not set in brick, shall be kept at least one foot below the beams or ceiling, with a shield of tin plate made tight and suspended below the said beams or ceiling, and extend one foot beyond the top of the furnace on all sides. All hot-air registers hereafter placed in the floor of any dwelling, store, church, or other building, shall be set in soapstone borders of the following dimensions, to wit: Registers smaller than twelve by nineteen inches shall have a soapstone border not less than three inches in width and one and a quarter inches thick; all registers twelve by nineteen inches, and less than fifteen by twenty-five inches, shall have a border not less than five inches wide and one and a half inches thick; and all registers fifteen by twenty-five inches or more, shall have a border not less than six inches wide and two inches thick. All soapstone borders to be firmly set in plaster of paris or gauged mortar; all floor register-boxes to be made of tin plate, with a flange on the top to fit the groove in the soapstone, the register to rest on the same. There shall also be an open space of two inches on all sides of the register box, extending from the under side of the ceiling below the register to the soapstone in the floor; the outside of said space to be covered with a casing of tin plate, made tight on all sides, to extend from the under side of the aforesaid ceiling up to and turn under the said soapstone. Registers twelve by nineteen inches, or less than fifteen by twenty-five inches, shall have

Hot-air
registers.

re-

a space of three inches between the register box and casing; registers of fifteen by twenty-five and more, shall have a space of three and a half inches.

§ 31. In all buildings where the floor beams are of wood, the end of the beams resting on the wall shall be cut to a bevel of three inches. Floor beams to be beveled.

§ 32. In all fire-proof buildings, either brick walls with wrought-iron beams, or cast or wrought-iron columns with wrought-iron beams, must be used in the interior; and the following rules shall be observed: Interior construction of fire-proof buildings.

1. All columns shall be planed true and smooth at both ends, and shall rest on cast-iron bed-plates, and have cast-iron caps, which shall also be planed true. The strength and size of each column shall be ascertained by multiplying the whole weight superimposed upon it, as found below, by six, and applying the formula in Tredgold by Hodgkinson. The weight superimposed upon the columns shall be found by multiplying two hundred and fifty pounds by the area in square feet of each and all the floors resting on the column, and adding to the product thus found the weight of the material used in the floors. Columns in.

2. The iron beams resting on the columns or girders, and the girders themselves, shall be of such strength, and placed at such distances apart as to bear three times the weight of two hundred and fifty pounds for every square foot of floor or floors over the same, by calculation or test in the beams themselves. Beams and girders in.

3. If brick arches are used between the beams, the arches shall have a rise of at least one inch to each foot between the beams, if the same are not over four feet span; and if above that span, eight inches thick. Arches in.

Ibid.

4. The said brick arches shall be laid to a line on the centres with a close joint, and the bricks shall be hard burnt, and shall be well wet and laid in cement mortar, in proportions of not more than two of sand to one of cement, by measure. The upper or keying courses of the arches shall be grouted and pinned with slate, and the centre shall be lowered as soon as the arches are keyed.

Iron beams
in.

5. All iron beams in stores or store-houses shall have wrought-iron ties, whose section shall be at least one square inch, placed not more than six feet from centres, and the said ties shall be well secured to the lower half of each beam, and into a beam or continuous piece of angle iron at both walls against which the arches abut.

Ibid.

6. Under the ends of all the iron beams, where they rest on the walls, a cut stone template must be built into the walls; said templates to be eight inches wide in twelve inch walls, and in all walls of greater thickness to be in width not less than four inches less than the width of said walls, and not to be in any case less than eight inches in thickness and eighteen inches long.

Scuttle
frames
doors.

and

§ 33. All scuttle frames and scuttle doors in every building as aforesaid shall be made of or covered with fire-proof metal. All stores or store-houses, or other buildings which are more than two stories high, except dwelling-houses or churches, shall have doors or shutters made of fire-proof metal on every window and entrance above the first story, where the same do not open upon a street: and if fire-proof shutters are put up, upon the front or sides of any building on the street front, they must be constructed so as they can be opened from the outside. Where, in any such building, the shutters or doors cannot be put on

Doors
shutters.

and

the outside of such door or window, they shall be put on the inside ; and every such door or window shall be closed on the completion of the business of each day, in such store, store-house, or other building, as aforesaid. And every dwelling-house, store, store-house, or other building, shall have a scuttle and ladders on the inside leading to the roof, and, if the ladder be movable, it must be of wrought-iron ; if stationary and well fastened, it may be of wood.

Scuttle and ladder.

§ 34. The planking and sheathing of the roof of every such dwelling-house, store, store-house, or other building, erected or built as aforesaid, shall in no case be extended across the front, rear, side, end, or party wall thereof, and every such dwelling-house, store, store-house, or other building, and the top and sides of every dormer window thereon, shall be covered and roofed with slate, tin, zinc, copper, or iron, or such other equally fire-proof roofing as a majority of the insurance companies of the city of New York, which are incorporated under the laws of this state, will insure at the same rate of premium as other articles in this section mentioned, or which shall be approved by the board of inspection appointed under this act. And no such frame dwelling-house, store, store-house, or other building hereafter erected or built, or already erected in any part of the city, which shall require new roofing, shall be roofed with any other roofing or covering, except as aforesaid.

Planking and sheathing not to extend across walls.

Roofing.

§ 35. All beams and other timbers in the party wall of every such dwelling-house, store, store-house, or other building hereafter to be erected or built as aforesaid, shall be separated from the beam or timber entering in the opposite side of the wall by at least four inches of solid mason work. All beams and other timbers in any wall of

Beams and timbers in walls.

any store or store-house, or other building other than a dwelling, shall be separated as aforesaid; and the side and party wall, in all cases except where Mansard roofs are used, and the rear walls, where no gutter is required, shall be built up and extended at least twelve inches above plank or roofing, and shall be covered with coping of stone or iron. No floor beam shall be supported wholly upon any wood partition, but every beam except headers and tail beams shall rest, at each end, not less than four inches in the wall, or upon a girder, as authorized by this act. And every trimmer or header more than three feet long, used in any such store, store-house, or other building, except a dwelling, shall be hung in stirrup irons of suitable thickness for the size of the timbers.

Ibid.

And all timber or beams used in any such dwelling-house, store, store-house, or other building, whether the same be a frame building or otherwise, shall be of good sound timber, free from rot, sap, shakes, or rotten knots, and of such size and dimensions as the purpose for which the building is intended and requires.

Openings for
doors and
windows.

§ 36. All openings for doors and windows in such dwelling-house, store, store-house, or other buildings, except as otherwise provided, shall have a good and sufficient arch of stone or brick, well built and keyed, and with good and sufficient abutments, or a lintel of stone or iron, as follows: For an opening, not more than four feet, the lintel shall not be less than eight inches in height, and for an opening not more than five feet in breadth, the lintel shall be twelve inches in height, and for an opening exceeding five feet in breadth, the lintel shall increase in height over and above the twelve inches before provided, one inch for every additional foot in breadth of the opening, and any

Lintels and
sills.

lintel, over any opening returned on a corner building, shall be of iron or stone, of the breadth before provided for, and of the full thickness of the wall on which it rests ; and where the second story window sills rest upon the said lintel course, the lintel shall be of iron or stone, and the full size of the wall on which it rests ; and every opening where the lintel is not the full thickness of the wall, or where there is not a lintel of iron or stone, there shall be a lintel of good sound timber on the inside of all lintels not as before provided for ; and the timber shall be cut at each end, and shall not rest more than four inches on any wall, column, post, or pillar, and shall have a double rolock arch over the said lintel ; or the said arch may be turned on a centre, which may be struck after the arch is turned, provided the piers or abutments are of a sufficient strength to bear the thrust of the arch. And in every such dwelling-house, store, store-house, or other building, every such opening less than five feet in breadth shall, in all walls over eight inches in thickness, have a lintel of stone or iron not less than seven inches in breadth, and one-third the thickness of the walls on which it rests ; and in all openings, as aforesaid, in any eight-inch wall, the lintel shall be one-half the thickness of the wall ; and on the inside of all openings, as aforesaid, there shall be a good timber lintel which shall rest at each end not more than four inches on the wall on the inside of the other lintels, and shall be cut in such manner as to turn a good double rolock arch over it ; and all arches over any opening or fire-places shall be built of good hard brick and well keyed ; and all compound girders used in any dwelling-house, store, store-house, or other building, shall have a bearing on the walls on each side of the opening, at least

two and two-thirds square feet, except the fronts of such buildings as aforesaid, where the lintel rests upon stone or iron columns not less than twelve inches on the face, and the width of the thickness of the wall to be supported; and the lintel itself shall be throughout of the thickness not less than the thickness of the wall to be supported, and shall be made in the best manner, and free from every defect. And the walls and piers under all compound girders and iron or other columns, shall have a bond-stone every thirty inches in height of the same and a cap-stone at least twelve inches in height by the whole size of the bearing. Where hollow cast iron lintels are placed over openings, they shall have a brick arch of sufficient thickness, with skew backs and tie-rods of sufficient strength to support the superincumbent weight independent of the cast iron lintel.

Timber not to be used in face of, or as a support to walls.

§ 37. No timber shall be used in the face of any wall of any such dwelling-house, store, store-house, or other building, so to be built or erected, where stone, brick, or iron is commonly used, except as mentioned in the last preceding section. No front, rear, or other wall, of any such dwelling-house, store, store-house, or other building, now erected, or hereafter to be built or erected in the said city, shall be cut off or altered below, to be supported in any manner, in whole or in part, by wood, but shall be wholly supported by stone, brick, or iron; and no wood or timber shall be used between such wall and such supporters.

Re-roofing brick front or frame buildings.

When and how such buildings may be raised.

§ 38. If any brick front or wooden dwelling-house already erected in the said city, to the southward of said line, shall require new roofing, it shall, and may be lawful for the proprietor or proprietors thereof to raise the same, for the purpose of making a flat roof thereon, provided that

such new roof shall be made and covered with any of the articles of roofing mentioned in section thirty-four of this act, and none other ; and also provided, that such dwelling-house, when so raised, shall not exceed forty feet in height, to the highest part thereof, from the curb level. And in all such brick dwelling-houses, that have eight inch walls, the said walls may be forty feet to the highest part thereof, from the curb level ; but in no case shall any building, other than a dwelling, and used for that purpose, have an eight inch wall over thirty-five feet in height ; and also provided, that all such dwelling-houses exceed twenty-five feet in height, before the alteration to the peak, or highest point thereof, from the said curb level ; but shall not exceed forty feet in height.

§ 39. If any building, as above, shall have been built ^{Ibid.} before any street is graded, and the top of the same shall be less than thirty-seven feet above the curb level of the street, as graded, the same may be raised to a height of thirty-seven feet above the curb level ; and if the grade of the street be lowered, it shall be lawful to underpin the same with proper foundation and walls, and provided the top of said building shall not be over thirty-seven feet above the curb level line.

§ 40. No brick front or framed dwelling-house whatsoever in said city, southward of said line, shall be raised, or built, or enlarged upon, unless the same be of fire-proof materials, or removed from one lot to another southward of said line ; provided, however, that brick front framed dwelling-houses, and wooden dwelling-houses only, may be raised or lowered, under the circumstances and in the same manner especially provided for in the thirty-eighth and thirty-ninth sections of this act.

Relative to
damage of
frame build-
ings by fire.

§ 41. Every wooden building or frame building, with a brick front, or any other front, situated in the said city, south of the said line, which may hereafter be damaged by fire or otherwise, to any amount not greater than one-half the value thereof, may be repaired or rebuilt; but if such damage shall amount to more than one-half of such value thereof, then such building shall not be repaired or rebuilt but shall be taken down.

Damage, how
to be deter-
mined.

§ 42. The amount and extent of such damage by fire, or otherwise, mentioned in the last preceding section of this act, shall be determined by the deputy superintendent created under this act, and one surveyor, appointed by the fire insurance company or companies, if such building or buildings are insured, and one surveyor, appointed by the owner or owners. But if such building or buildings be not insured, then the damage shall be determined by the deputy superintendent and a surveyor appointed by the owner or owners; and in case these two do not agree, they shall appoint a third party, and a decision of a majority of them, in writing, shall be conclusive in the premises.

Relative to
raising and
building
upon build-
ings within
the fire lim-
its.

§ 43. All dwelling-houses, store, or store-houses, or other buildings, built of stone, brick, or iron, in any part of the city of New York, and all framed dwelling-houses, store, store-houses, or other buildings, south of said line, before the same shall be raised, or built upon, shall be first examined by the board of inspection created by this act, to ascertain if the building or buildings, or either of them, are in a good and safe condition, to be raised, or built upon. And no master architect, master builder, master mason, master carpenter, or master roofer, or owner or owners, lessee or lessees, or either of them, shall raise, or build upon any such dwelling-house, store, store-house, or any

other building as aforesaid, whatever, until after their decision shall be made in writing as aforesaid, and such decision shall be conclusive in the premises, and such examination and decision shall be given without delay.

§ 44. No wooden shed shall be erected, or permitted to be southward of said line, unless one whole side of the same shall be left entirely and constantly open. And, also provided, the same does not exceed twelve feet in height, to the peak or highest part thereof, from the level on which it is placed. Nothing in this section, or in this act, shall be held or construed to prohibit the erection of any piazza, platform, or balcony, not to exceed ten feet in width, on the level of the first story floor of any such dwelling-house, or other building to which the same shall be attached, provided that said piazza, platform, or balcony shall not extend more than three feet above the second floor of any such building as aforesaid. And, provided, that any such piazza, platform or balcony, have end walls of stone, brick, or iron, and all rear piazzas built of wood, shall have end or party walls of stone or brick, not less than eight inches thick, and they shall be started and built from the foundation, and carried up above the roof, and coped with stone or iron. No outside wooden stairs shall be erected or built southward of said line, which shall extend above the second story of any such building to which the same shall be attached, whether the same be left open or be inclosed. Nothing in this section, or in this act, shall be so construed to prohibit the erection of any bay or oriel window, built of wood, that does not extend more than three feet above the third story floor of any such dwelling-house, to which the same shall be attached.

Relative to
construction
of wooden
sheds, &c.

Bay windows

§ 45. All privies, not exceeding ten feet square and ten Privies.

Ferry houses feet high, and all ferry-houses which shall be erected with the express permission of the corporation of the city of New York, may be built and covered with wood, board or shingles, and all such privies and ferry-houses shall not be used for any other purpose than a privy or ferry-house.

Ash-holes and ash houses.

§ 46. All ash-holes or ash-houses within the said city shall be built of stone, brick, or iron, without the use of wood in any part thereof.

Raising and building up buildings.

§ 47. No brick, stone, or iron dwelling-house, store, store-house or other building already erected, or hereafter to be finished, built or erected, shall be raised, or built upon in any manner, except as provided for by the sections and provisions of this act.

Buildings and enlargements not provided for.

§ 48. Any building hereafter to be erected, or any enlargement of a building or buildings already erected or to be erected, that is not especially provided for in this act, may be submitted to the examination of the board of inspection created by this act, who shall have the power to determine whether the said contemplated building or alteration complies with the meaning and spirit of this act, in which case the said board shall issue forthwith a certificate to that effect, to the owner of said building, which certificate shall be sufficient to enable him to proceed with the said building or enlargement.

Nominating Board of Building Inspection.

§ 49. The president of the fire department, the treasurer of the fire department, the president of the board of trustees of the fire department of the city of New York, together with three members of the American Institute of Architects of the city of New York, also three members of the Mechanics' and Tradesmen's Society, of the city of New York, appointed by the president of said institutes, shall,

by a majority of the whole number, nominate to the mayor of the city of New York the following officers :

§ 50. First, a superintendent of buildings ; second, a deputy superintendent ; third, eight inspectors, all of whom shall hold their office for three years or until their successors shall be appointed as provided for by this act. They shall be men of good character, and one-half of whom shall be practical architects or builders. The board of appointment may appoint, in their discretion, one-half of the officers provided for by this act from among the exempt firemen of the city of New York, who are now or may hereafter be exempt by reason of services, in accordance with the laws of the volunteer firemen of the city of New York.

Officers of
Board of
Building In-
spection.

Exempt fire-
men may be
appointed.

§ 51. It shall be the duty of the parties named in the fiftieth section, within thirty days after the passage of this act, or a majority of the same, to meet in convention, which convention shall be convened by the president of the fire department of said city, for the purpose of nominating the persons for the offices named in the fifty-second section. And the president of the fire department shall, immediately after the nominations are made, make a return to the mayor of the said city, of the names of the parties so nominated. And such persons nominated shall be thereupon immediately sworn into office by the mayor of the city of New York.

Nominating
Board to
meet within
30 days after
passage of
act.

§ 52. The superintendent of buildings shall, by virtue of this act, be an ex-officio member of the board of trustees of the New York fire department, and shall prosecute all suit or suits for penalty or otherwise, under any provisions of this act, under the direction of the board of trustees,

Superintend-
ent of Build-
ings to be ex-
officio mem-
ber of Board
of Trustees of
Fire Depart-
ment.

and in the name of the fire department of the city of New York.

Bond.

§ 53. And he shall, before entering upon the duties of his office, execute a bond to the corporation, with one or more sureties, to be approved by the comptroller, in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties of his office; and he

Salary.

shall be paid monthly for his services, at the rate of twenty-five hundred dollars per annum.

Duties and powers.

§ 54. He shall be charged with all matters appertaining to this act, he shall give all certificates upon the removal of any construction in violation of any of the sections or provisions of this act, and shall keep, in proper books provided for that purpose, a register of all transactions in his department appertaining to buildings and violations, and shall once in six months, or as often as called upon, furnish the mayor or the trustees of the fire department with a transcript of the same, and shall have a general supervision

Clerk to Superintendent of Buildings.

and direction over the officers in his department. He shall have the power to appoint a suitable person as clerk, who shall have charge of the books under the direction of the superintendent and deputy; and the clerk shall be in constant attendance in the office at such hours as shall be designated, and shall keep a register of all matters appertaining to the office relative to buildings, and perform such other duties as directed by the superintendent or deputy, and he shall be paid monthly for his services, at the rate of nine hundred dollars per annum.

Salary.

Deputy Superintendent

§ 55. It shall be the duty of the deputy superintendent to examine all plans and specifications submitted to the office, and shall certify if they are in accordance with the

sections and provisions of this act; also to examine all buildings reported by the inspectors for any violations of the sections and provisions of this act, and, on examination of the same, report, in writing, the condition of the same, as well as his opinion relative thereto, to the superintendent, and shall, with the other parties, as provided for by this act, examine all buildings or parts of buildings reported dangerous, and all buildings damaged by fire or otherwise, as provided by this act, and shall furnish a full report of the same to the superintendent.

§ 56. He shall report to the superintendent the removal of any construction in violation of any of the sections and provisions of this act, and in the absence of the superintendent, from sickness or other causes, he shall be empowered to act with all the powers enjoyed and possessed by the superintendent. ^{Ibid.}

§ 57. He shall, before receiving his nomination, pass an examination as to his knowledge and competency to perform all the duties of his office, and furnish the president of the fire department with a certificate, signed by the committee on examination, appointed by the American Institute of Architects, of the city of New York, to that effect. ^{Shall pass an examination.}

§ 58. He shall, before entering upon the duties of his office, execute a bond to the corporation, with one or more sureties, to be approved by the comptroller, in the penal sum of three thousand dollars, conditioned for the faithful performance of the duties of his office, together with the certificate as hereinbefore provided for; and he shall be paid monthly for his services, at the rate of two thousand dollars per annum. ^{Shall execute a bond. His salary.}

Inspectors. § 59. The inspectors, before entering upon the discharge
Shall pass an examination. of their duties as inspectors, shall each pass an examination as to their knowledge and competency to perform all the duties of the office, and furnish to the president of the fire department of said city a certificate, signed by the committee on examination, appointed by the American Institute of Architects, of the city of New York, to that effect; and, in addition, shall, before entering upon the duties of
Shall give bond. their office, each execute a bond to the corporation, with one or more sureties, to be approved by the comptroller, in the penal sum of fifteen hundred dollars, conditioned for the faithful performance of the duties of his or their office, together with the certificate as hereinbefore provided for; and each one of the said inspectors, as aforesaid, shall be
Salary. paid monthly for his services, at the rate of one thousand dollars per annum.

Duties. § 60. The inspectors shall be under the direction of the superintendent and deputy, and shall attend all fires in the district assigned to him or them, and report to the chief engineer, or, in his absence, to the assistants, all information he or they may have relative to the construction and condition of the building or buildings on fire, and the adjoining buildings, whether the same be dangerous or otherwise, and report, in writing, to the superintendent or deputy, all such buildings damaged by fire or otherwise, and the amount of such damage, as near as they can ascertain, together with the street and number of such buildings, and the owner or owners and occupants, and what occupied for.

Ibid. § 61. He or they shall examine all buildings in course of erection or alteration, or in course of demolition, in his district, at least once in each and every day, Sundays and

holidays excepted; and he or they shall report in writing, forthwith, to the deputy superintendent, all violations of any provisions of the law, as well as the condition of the same, together with the street and number of the building or buildings, the name and residence of the owner or owners, lessee or lessees, occupant, builder or builders, mason or masons, carpenter or carpenters, roofer or roofers, furnace builders and architects, as well as all matters relative to the same; and he shall serve all notices required of him, by the superintendent or deputy, and make a return of said service, forthwith, to the superintendent or deputy.

§ 62. He or they shall report, to the superintendent or deputy, all new buildings erected or in course of erection, altered or in course of alteration, with the street and number, owner or owners, lessee or lessees, and occupants, and the condition of the same, and for what purpose the same is to be occupied, as near as he or they can ascertain, at least once a month, or as often as called for, by the superintendent or deputy superintendent. He or they shall also perform all the duties and possess all the powers now performed and possessed by the fire wardens of the city of New York.

Ibid.

To perform
the duties
now per-
formed by
Fire Ward-
ens.

§ 63. The said superintendent of buildings, together with the deputy and inspectors, shall be provided by the common council of the city of New York with an office, and with necessary fuel and stationery for the same; which office shall be kept open from eight o'clock A. M., until five o'clock P. M., Sundays and holidays excepted.

Board of In-
spection to
be provided
by the Com-
mon Council
with office,
&c.

§ 64. The said superintendent, deputy superintendent, or any of the inspectors, shall be removed at any time by the mayor of said city, upon charges preferred by the ma-

Relative to
removal of
members of
Board.

majority of the nominating power, for incapacity or neglect of duty, immoral conduct, or any charge derogatory to the position which they may respectively hold; provided, however, that reasonable notice shall be given, and a copy of the charges served on the person so charged, and an opportunity given to make his defense, before the said nominating power. And upon any such removal or removals, others shall, upon a like nomination, be appointed, as aforesaid; and whenever any vacancy shall occur in the offices aforesaid, by death or otherwise, it shall be the duty of the parties mentioned in the fifty-first section of this act, to nominate others to fill such vacancies, in the same manner as hereinbefore provided.

Vacancy.

Supervisors
to raise by
tax the
money ne-
cessary for
salaries.

§ 65. The board of Supervisors in the county of New York shall, for the year one thousand eight hundred and sixty, and annually thereafter, raise and collect by tax, upon the real and personal property taxable within the city of New York, such sum of money as shall be requisite and necessary to pay the salaries provided for in this act. Such sum of money, when collected, shall be paid into the treasury of the city of New York, and shall be disbursed to the several officers under this act as they shall be entitled thereto.

Violations of
provisions of
this act.

§ 66. The owner or owners of any dwelling-house, store, store-house, or other building, or of any frame building with or without a brick front, or any wooden building, or of any ash-house, ash-hole or wooden shed, whether he or they be the owner or owners of the land in fee, or be the lessee or lessees thereof, or has or have a qualified or contingent interest therein, by virtue of some agreement or contract in writing, or in any other manner, who shall violate any provision of this act, and any master architect or architects,

who may be employed or assist therein, shall, for every such violation, respectively forfeit and pay the sum of two hundred and fifty dollars, and any master builder or builders, master carpenter or carpenters, master mason or masons, master roofer or roofers, furnace maker or makers, who shall violate any provision of this act, or who may be employed or assist therein, shall for every such violation, not removed within ten days after notice of the violation shall be given to him or them, respectively forfeit and pay the sum of fifty dollars, and in addition thereto, such owner or owners shall respectively forfeit and pay the sum of ten dollars for every day that such violation shall remain, after the rendition of the judgment against him or them, for such violation, in any court of record in the city of New York; such continuing penalty may be recovered in a new suit or suits, to be brought by the superintendent of buildings of the city of New York, in the name of the fire department of said city, and such fine or penalties shall be paid to the treasurer of the fire department of the said city for their own use.

Penalties.

Suits for penalties to be brought in the name of the Fire Department.

§ 67. The notice named in the last preceding section may be signed by the superintendent or deputy superintendent of buildings of the city of New York, and may be served by any of the inspectors; such notices shall be served by giving the same personally to the person violating any of the provisions of this act.

Notices.

§ 68. All pecuniary penalties imposed by this act may be sued for and recovered with costs of suit in any court of record in the city of New York, by the superintendent of buildings of said city, in the name of the fire department of the city of New York, and for their own use. The said courts shall have jurisdiction respectively of all other suits

Suits for penalties.

Parties liable
to penalties.

and proceedings authorized by this act. The owners, architects, builders, carpenters, masons, roofers, furnace makers, named in this and in the last preceding sections, shall be respectively liable for all the penalties imposed by this act.

Injunction in
cases of dan-
gerous alter-
ations, &c.

§ 69. The said courts respectively shall, in an action to be brought by said superintendent, in the name of the fire department, restrain, by injunction, the erection or alteration of any building, part or parts of a building, shed, wall, chimney, staging or structure in the city of New York, dangerous to life or limb, and shall decree that such building, part or parts of a building, shed, wall, chimney, staging or structure, whether erected or altered, or in the course of erection or alteration, be taken down and removed. It shall be the duty of the sheriff of the city and county of New York to execute such decree, and also any decree made by virtue of the next succeeding section, on receiving a certified copy of such decree.

Duty of sher-
iff.

Violations to
be remedied
within ten
days after
service of no-
tice.

§ 70. If any violation of the provisions of this act shall not be removed within ten days after service of the notice thereof, provided for in the foregoing sections of this act, the said courts respectively, besides enforcing the penalties for such violation, now provided by law, and imposed by this act, may, in any action to be brought by the superintendent, in the name of the said fire department, restrain, by injunction, the further erection, building, raising, altering, enlarging, or building upon of such dwelling-house, store, store-house, building, ash-hole, ash-house, wooden shed, wooden building, or frame building, and may decree that such dwelling, store, store-house, building, ash-hole, ash-house, wooden shed, wooden building, or frame building, whether erected, built, raised, enlarged, removed, or

If not, build-
ings, &c.,
may be taken
down.

built upon, or in the course of erection, building, raising, enlarging, removing, or of being built upon, shall be taken down and removed. Actions for the penalties imposed by this act may be joined with the actions authorized by this and the next preceding sections ; or separate actions may be brought for the same. If there be any change of ownership or interest in such property or land, subsequent to the violation of the provisions of this act, such change shall not affect the right of said superintendent of buildings, in the name of the said fire department, to bring his actions for the penalties provided for herein, and to have the violations removed, nor his right to enforce the judgment or decree in any such actions. But when any change of ownership or interest appears of record, in the office of the register of the city and county of New York, the party acquiring such ownership or interest shall be made a party defendant in any such action, whenever such party acquires such ownership or interest, and causes the evidence of the same to be recorded as aforesaid, before the commencement of such action, and a filing of a notice of the pending thereof, in the office of the clerk of the city and county of New York.

Change of ownership subsequently to violation of this act.

§ 71. If any building, or part of a building, in the city of New York, whether now built, or hereafter to be built, or in the process of building, alteration, or enlargement, or in any other condition, shall be deemed unsafe or dangerous by any inspector of the city of New York, it shall be the duty of such inspector to report the same forthwith to the superintendent or deputy superintendent of the said city, who shall forthwith cause a survey to be held upon such building or part of a building, by three persons ; one shall be the deputy superintendent, one shall be one of

Proceedings to be taken in cases of buildings deemed unsafe.

Surveyors
shall be ap-
pointed.

the committee of architects of the American Institute of Architects, of the city of New York, and one by any owner, or any agent of any owner of such building or part of a building. And any person having any legal or equitable right or interest whatever in such building or part of a building, whether the said right or interest be absolute, qualified, vested, contingent, in possession, remainder, or reversion, the said superintendent, or deputy superintendent shall forthwith cause the said owner or agent to be notified to appoint an architect or a builder, on his part as aforesaid, and also the time and place of such survey, and if the said owner or agent shall fail to make such appointment in writing, or if the architect or builder appointed by such owner or agent shall fail to attend such survey, then the other two surveyors shall proceed to hold such survey, and if they fail to agree, they shall appoint a third surveyor, who shall be an architect or a practical builder, whose decision shall be final.

Duties of surveyors.

Sheriff to remove.

§ 72. The said surveyors shall forthwith make and return to the said superintendent a report of such survey, to be signed by them, or a majority of them ; and if such report shall declare such building or part of a building to be unsafe or dangerous, then the said superintendent shall forthwith make and return to the mayor of the said city a report of such survey, signed by the said surveyors ; and if unsafe or dangerous, then the said mayor shall forthwith direct the sheriff of the said city to forthwith take down and remove such building or part of a building, and any other building or part of a building that, in the judgment of the superintendent or deputy, or such sheriff, it may be necessary to take down and remove, in order to safely take down and remove such unsafe or dangerous building or part of a building.

§ 73. The said superintendent shall forthwith notify one or more of the owners of such unsafe or dangerous building or part of a building to forthwith take down and remove such building or part of a building; and any owner, notified as aforesaid, who shall fail or refuse to take down and remove such building or part of a building, within ten days, shall forfeit and pay the sum of five hundred dollars; and in case the owner or owners aforesaid, notified as aforesaid, shall refuse or fail to proceed forthwith to take down and remove such building or part of a building, then the sheriff of the city and county of New York shall take down and remove such building or part of a building.

Superintendent to notify the proper parties to remove.

Penalty for neglect or refusal to remove.

§ 74. Each of the surveyors named in the two preceding sections, excepting the deputy superintendent, shall be entitled to and receive five dollars for his services as such surveyor; and any sheriff who shall take down and remove such unsafe or dangerous building, or part of a building, by direction of the said mayor, shall be entitled to and receive the amount expended in taking down and removing the same, and five per cent. upon the amount expended, as his legal fee for the same, from the owner or owners of such building or buildings, or part of a building. And the materials thereof shall be liable to such sheriff for taking down such building or part of a building; and he shall have the power to sell such materials, in default of payment by such owner or owners.

Fees of surveyors.

Fees of sheriff.

§ 75. All actions for penalties and forfeitures incurred under this act shall be commenced within twelve months next after the time of incurring such forfeiture and penalty, provided that the continuing penalties may be sued for

Action for forfeitures and penalties to be commenced within twelve months.

within one year after the judgment mentioned in section sixty-six of this act.

Actions commenced before the passage of this act.

§ 76. All laws or parts of laws heretofore passed, inconsistent with the provisions of this act, are repealed from the time when this act shall take effect; but such repeal shall not affect any suit, prosecution, or proceeding commenced, or forfeiture or penalty incurred, or offense committed previous to the time when this act shall take effect. But every such suit, prosecution, and proceeding, may lawfully proceed; and every such penalty may be demanded and recovered, and every such offense be prosecuted and punished as if the said laws, and parts of laws, hereby repealed, had remained in full force.

Act to take effect on 1st June, 1860.

§ 77. This act shall take effect on the first day of June next, and the common council of New York shall publish this act once a week in every paper employed by them, from thirty days after the passage thereof until that day.

The foregoing "act to provide against unsafe buildings," having been passed before the final completion and going to press of this volume, has been here inserted in full as being of the highest interest.

By it the fire limits have been extended, all former acts in relation to buildings have been modified, amended, or repealed, and the office of Fire Warden abolished.

FINIS.

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